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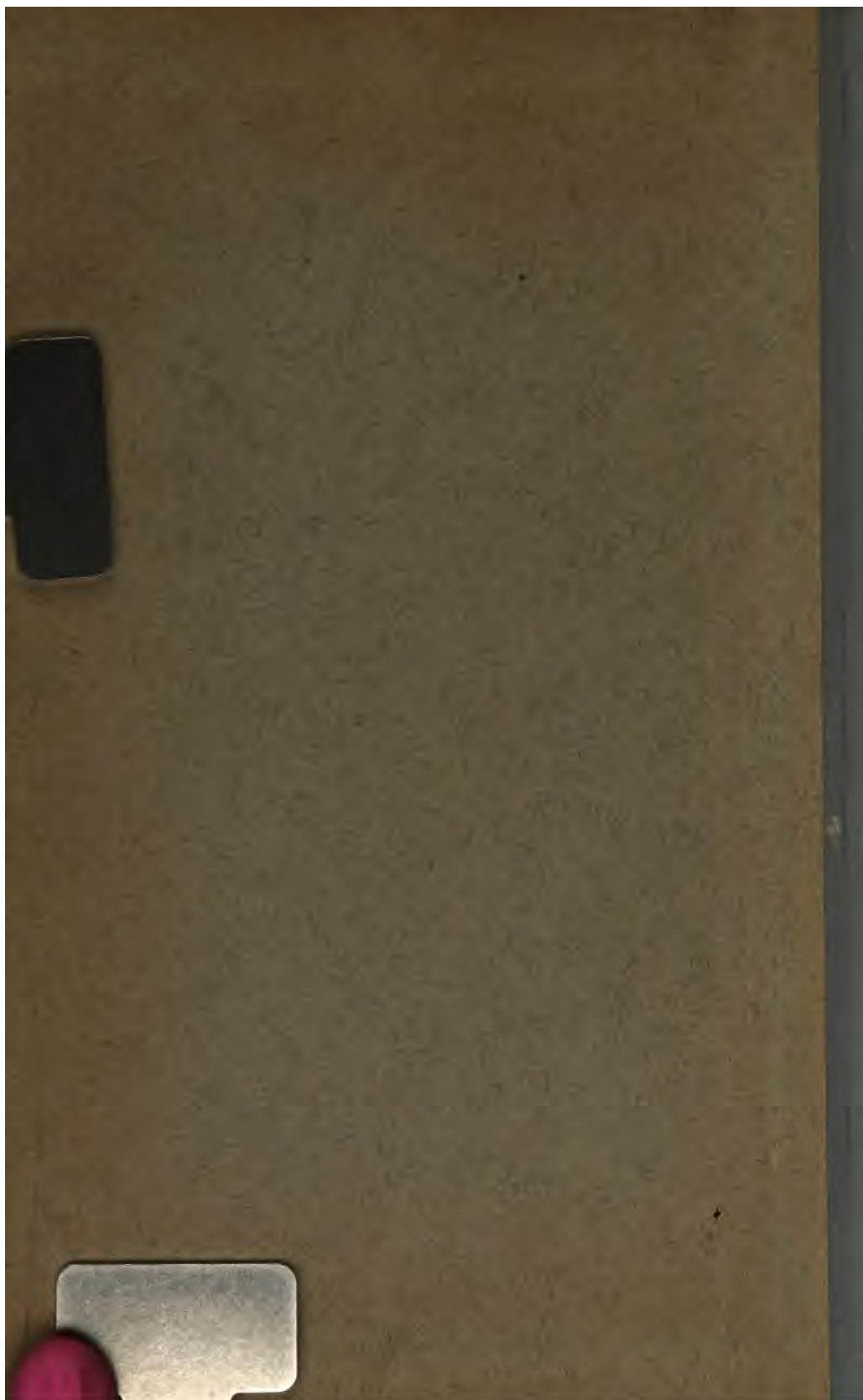
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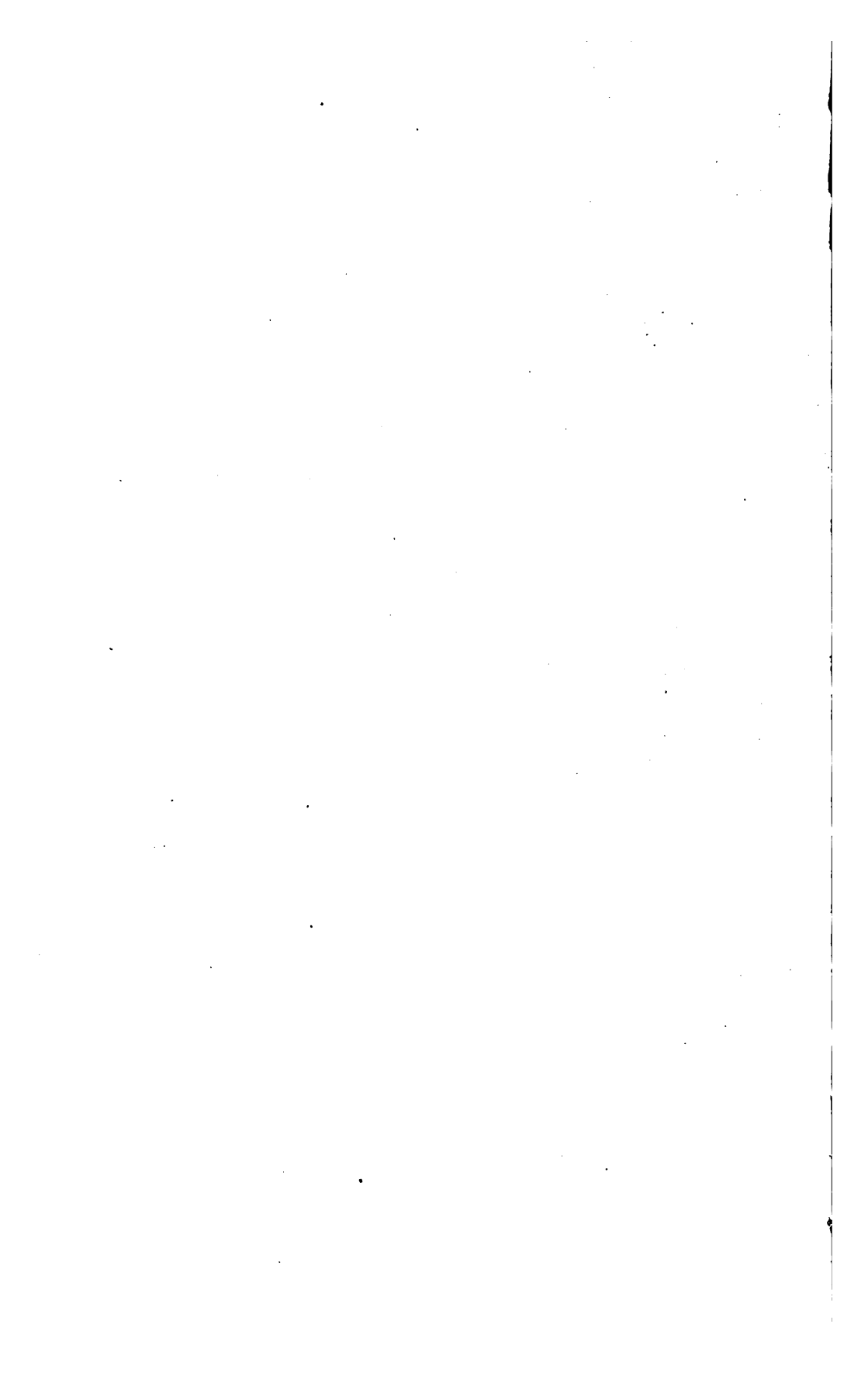
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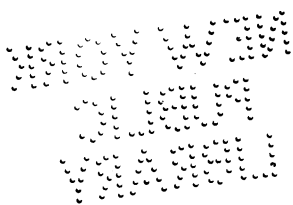
SPECIAL ACTS
—OF—
PUBLIC SCHOOL LAWS
OF THE
STATE OF ALABAMA,
AND A REVISED LIST OF
COUNTY AND CITY SUPERINTENDENTS.

BY
JOHN O. TURNER,
SUPERINTENDENT OF EDUCATION.

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II

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SUPREME COURT.

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Associate Justice.	THOMAS N. McCLELLAN.	" Limestone.
" "	THOMAS W. COLEMAN.	" Greene.
" "	JON. HARALSON.	" Dallas.
" "	JAS. B. HEAD.	" Jefferson.

CIRCUIT JUDGES.

First Circuit.	JNO. C. ANDERSON.	of Marengo.
Second Circuit.	JNO. R. TYSON.	" Montgom'y.
Third Circuit.	J. M. CARMICHAEL.	" Dale.
Fourth Circuit.	JOHN MOORE.	" Perry.
Fifth Circuit	N. D. DENSON.	" Chambers.
Sixth Circuit.	S. H. SPROTT.	" Sumter.
Seventh Circuit.	GEO. E. BREWER.	" Talladega.
Eighth Circuit.	H. C. SPEAKE.	" Madison.
Ninth Circuit	J. A. BILBRO.	" Etowah.
Tenth Circuit.	J. J. BANKS.	" Jefferson.
Eleventh Circuit.	THOS. R. ROULHAC.	" Colbert.
Twelfth Circuit.	J. W. FOSTER.	" Henry.
Thirteenth Circuit.	WM. S. ANDERSON.	" Mobile.

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Northeastern Division	J. R. DOWDELL.	of Chambers.
Northwestern Division	THOMAS COBBS.	" Jefferson.
Southeastern Division.	JERE N. WILLIAMS.	" Barbour.
Northern Division.	WM. H. SIMPSON.	" Morgan.

III

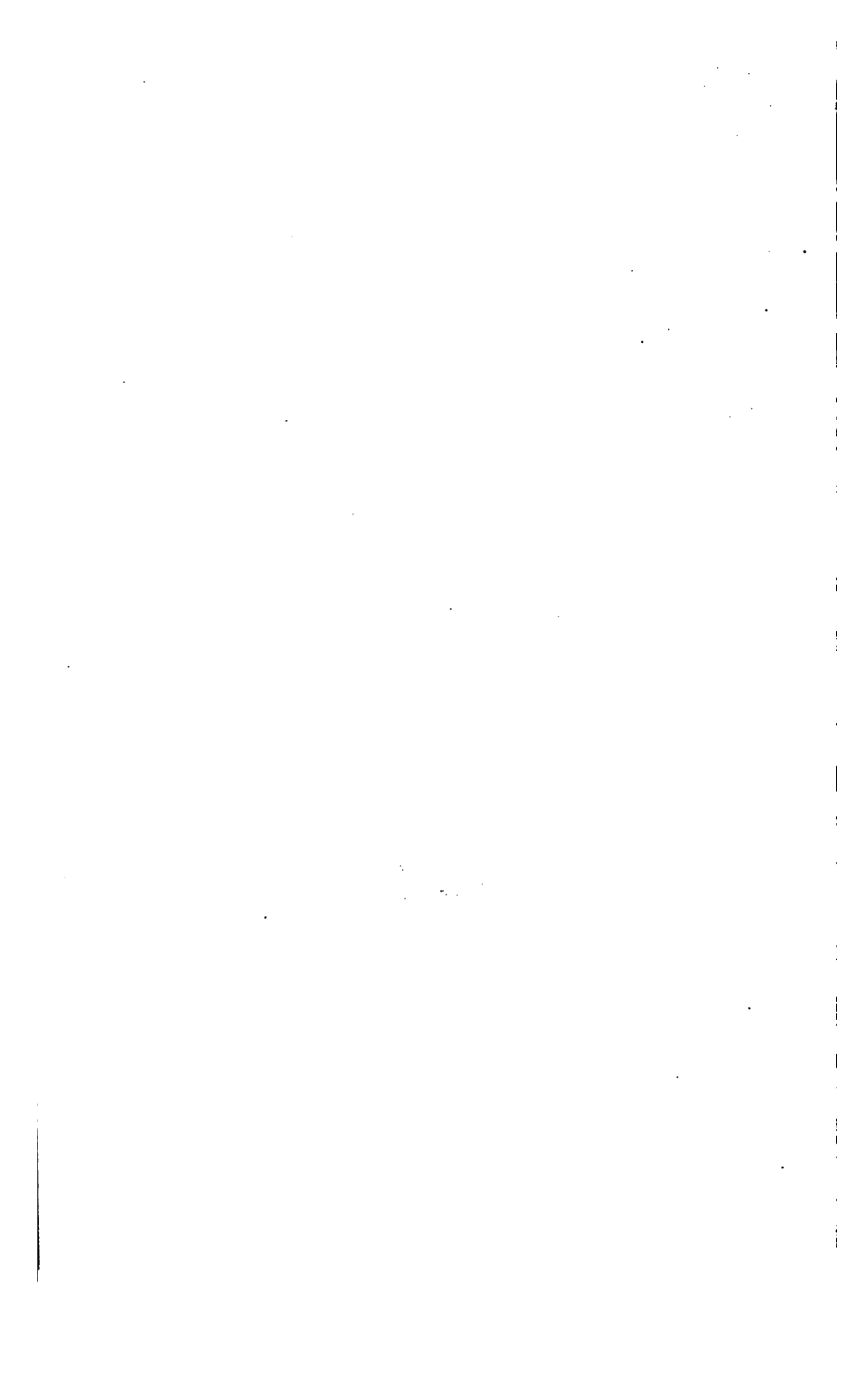
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Junior.....E. W. PETTUS... .. " Dallas.

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2d District.....JESSE F. STALLINGS .. " Butler.
3d District.....H. D. CLAYTON " Barbour.
4th DistrictT. S. PLOWMAN " Talladega.
5th DistrictW. BREWER..... " Lowndes.
6th DistrictJNO. H. BANKHEAD ... " Fayette.
7th DistrictM. W. HOWARD ... " DeKalb.
8th District.....JOSEPH WHEELER.. " Lawrence.
9th DistrictOSCAR W. UNDERWOOD " Jefferson.



PUBLIC SCHOOL LAWS.

No. 195.]

AN ACT

H. B. 563.

To provide for the establishing of a separate school district, to be known as the "Oxmoor District," at Oxmoor, in Jefferson county, with certain powers and privileges of levying taxes to sustain said school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as the "Oxmoor District," be and the same is hereby established, as hereinafter provided, at Oxmoor, in the county of Jefferson, in townships 18 and 19, range 3, west, the boundary of which shall be one mile and three-quarters each way from the Eureka Furnace.

SEC. 2. Be it further enacted, That James Thomas, Henry Fancher, John W. Perry, R. C. Bradley, A. Bears, W. S. Earnest, and James O'Neal, be appointed trustees of said school district, who shall, on the first Monday in May, 1877, hold an election in said district for the purpose of ascertaining the will of the citizens of said district; that the vote shall be taken *viva voce* for or against said school district, and if two-thirds of the voters vote for said district, and a majority of said two-thirds be property holders, then the above trustees shall proceed to establish said school district under the regulations hereinafter set forth.

SEC. 3. Be it further enacted, That the trustees, and their successors in office, shall have the power to levy a tax on all property, both real and personal, within the bounds of said school district, not to exceed half of one per cent.,

for school purposes; and for the first and second years, half of one per cent. for building purposes.

SEC. 4. Be it further enacted, That said trustees shall have the right to buy lands for the purpose of building school houses, taking the deeds to themselves and successors, and to build suitable houses for schools, and to employ teachers for the present year, and for the purposes of schools, until they can build, shall have the power to rent suitable houses.

SEC. 5. Be it further enacted, That on the first Monday in May, 1878, there shall be an election held to elect six trustees in said school district, two of whom shall hold their office for one year, two for two years, and two for three years. At the first meeting of said trustees after the election, they shall draw lots for the terms, and two shall thereafter be elected annually.

SEC. 6. Be it further enacted, That said trustees shall have the power to sue and be sued, to buy and sell property, or to exchange, not to exceed three thousand dollars; but shall not have the power to create any mortgages or liens on said property, or to create any debt to exceed two hundred dollars.

SEC. 7. Be it further enacted, That said trustees shall receive from the county superintendent the proportional share of the school fund apportioned to townships 18 and 19, range 3, west, according to the number of children in said district of the proper school age; they shall also receive all the poll tax paid by the tax-payers within said Oxmoor district; *Provided*, That the poll tax paid by white tax-payers shall be appropriated to the white schools, and the poll tax paid by colored tax-payers shall be appropriated to colored schools.

SEC. 8. Be it further enacted, That no person shall be elected a trustee who is not a property-holder, liable to be taxed within the limits of said school district.

SEC. 9. Be it further enacted, That said trustees shall establish two or more public schools, one for the white and one for the colored children, in said school district, for not less than four months nor more than ten months every year.

SEC. 10. Be it further enacted, That when a vacancy occurs of one or more of the board of trustees, the remaining trustee or trustees shall fill the vacancy until the next regular election.

SEC. 11. Be it further enacted, That said trustees shall have power to receive any scholars not living within the limits of said district on such terms as may be agreed upon.

SEC. 12. Be it further enacted, That no powers herein granted shall alter, abridge or otherwise effect the law now in force prohibiting the sale of intoxicating liquor within a certain limit.

SEC. 13. Be it further enacted, That all elections in said district shall be governed by the laws of the State, except as provided for in section two of this act.

Approved February 9, 1877.

No. 226.]

AN ACT

[H. B. 400.

To incorporate the town of Marion, in Perry county, as a separate public school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the town of Marion, in Perry county, shall constitute a public school district separate and apart from the other school districts in said county, and the inhabitants of such district are hereby incorporated by the name of the "School District of Marion."

SEC. 2. Be it further enacted, That to carry out the purposes of said incorporation P. B. Lawson, B. M. Hewey, A.

C. Howze, J. G. Apsey and H. H. Hurt, are hereby constituted and appointed a board of trustees of said "School District of Marion," who shall have power to purchase, receive, hold and convey for and in behalf of said school district, all such real and personal property as may be necessary or proper for the purposes of such incorporation, and who shall control the disposition of all funds which may be received by or for said school district.

SEC. 3. Be it further enacted, That as soon as practicable after the passage of this act, the said persons herein above named, or a majority thereof, shall proceed to organize said board of trustees by electing one of their number president of the board, and by electing some suitable person or persons, whether members of the board or not, as secretary of the board, and treasurer of the school district; *Provided, however,* The secretary of the board and treasurer of the district may be one and the same person if the board shall so elect.

SEC. 4. Be it further enacted, That the term of service of the persons herein above named as trustees shall be two years from the approval of this act, and their successors and all subsequent boards of trustees for such school district, shall be elected by the mayor and council of the town of Marion, and the terms of service of all trustees elected by such mayor and council shall be for two years, except when a trustee is elected to fill a vacancy before the expiration of the regular term, in which event the person so elected shall only hold until the beginning of the next regular term, or until his successor shall be elected.

SEC. 5. Be it further enacted, That the terms of service of the secretary and treasurer shall be for two years from the date of their election, but they may be removed by said board of trustees at any time. They shall receive such compensation as may be fixed by the board of trustees, out of the funds of the school district; *Provided, however,* That not

more than four per centum of all funds received by said district from the State for school purposes, shall be used for any other purpose than the payment of teachers in the free public schools of said district. The board shall require of the treasurer so elected a bond in such amount as may be fixed by them, payable to said school district, and to be approved by the president of the board and filed with him, conditioned safely to keep and to disburse according to law all money which may come into his hands as treasurer of said school district. A copy of said bond, certified by the president of the board, shall be filed in the office of the State Superintendent of Education. The board may require a new or additional bond, with other or additional securities; and a different amount, whenever they see proper so to do.

SEC. 6. Be it further enacted, That whenever the said board shall be organized in accordance with the provisions of this act, the said school district shall be entitled to receive its proportionate share of all funds raised or appropriated by the State for public schools, and shall also receive its pro rata share of the sixteenth section interest accruing to the several townships of parts of which the said school district of Marion is composed, and it shall also receive all poll tax which may be collected from residents of said school district, and all funds which may be appropriated by the mayor and council of the town of Marion, or which may be donated for said school district. All funds for such school district shall be paid to the treasurer of the district, who shall receipt for the same; and the Superintendent of Education for the State shall give the necessary orders and instructions, and issue the necessary certificates to secure payment to such school district of all funds to which it may be entitled from the State or from poll tax.

SEC. 7. Be it further enacted, That said board of trustees shall take such measure as may be proper to establish

such schools in said district as may be necessary for the accommodation of the youth thereof, of each race, to grade such schools, prescribe the text books to be used therein, employ teachers, and generally to make such rules and regulations for such school district and its schools as to them may seem best, and not in conflict with the laws of this State.

SEC. 8. Be it further enacted, That all schools or school grades which may be established by said board in said school district below high schools, or high school grades, shall be absolutely free for all persons between the ages of seven and twenty-one years, living in the school district, and belonging to the race for which the school was established; but the board may, in their discretion, exact of all pupils attending the high schools, or high school grades, a tuition fee of not exceeding five dollars per month.

SEC. 9. Be it further enacted, That said board may, in their discretion, elect a city superintendent of schools and prescribe his duties, term of service and compensation.

SEC. 10. Be it further enacted, That said board of trustees shall require to be made out and furnished to the Superintendent of Education all such reports as may be prescribed by law, or as may be required by him.

SEC. 11. Be it further enacted, That the trustees of said school district of Marion shall receive no compensation for their services as such trustees.

SEC. 12. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved February 5, 1877.

No. 121.]

AN ACT

[S. B. 165.]

To establish a separate school district in Conecuh county to be known as the Evergreen school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the following described territory, in the county of Conecuh, shall constitute a school district, separate and apart from the remaining school districts in said county, namely: Taking as a starting point the Evergreen academy, located on the northeast quarter of the northwest quarter of section 3, township 5, range 11, and within the corporate limits of the town of Evergreen, and extending east two and one-half miles; north two and one-half miles; south two and one-half miles; and west two and one-half miles, without any regard to range or township lines, making a territory five miles square in each direction, with the Evergreen academy in the centre thereof, and containing twenty-five square miles to be known as the Evergreen school district.

SEC. 2. Be it further enacted, That such school district shall receive its proportionate share of the public school revenue, including a pro rata share of the sixteenth section fund of each township that lies partly within the said school district, and shall also receive all the poll tax collected within the limits of said district; and the superintendent of education of Conecuh county shall set apart from the public school revenues of the county and disburse and use such pro rata share exclusively for the maintenance of the public schools in said district of Evergreen.

SEC. 3. Be it further enacted, That it shall be the duty of the county superintendent of education of said county to appoint a superintendent for said district in the same manner as is provided by law for the appointment of township superintendents; and said superintendent shall be required to perform such duties in his district as are required

by law of township superintendents. And the trustees shall, within thirty days after the passage of this act, make an enumeration of all the children, white and colored, male and female, between the ages of seven and twenty-one years, within the said Evergreen school district, and make a report in duplicate of said enumeration to the county superintendent of Conecuh county by the 15th day of March, 1879, which report shall also show the number of such children within the fractional portion of each township of which said Evergreen school district is formed; and subsequent apportionments of school monies in and for the territory composing said Evergreen school district shall be made in accordance with such enumeration, until another enumeration shall be made under the provisions of the general law of the State.

SEC. 4. Be it further enacted, That the county superintendent of Conecuh county shall co-operate with the said district superintendent in keeping up the schools, both white and colored, in said district.

SEC. 5. Be it further enacted, That all laws and parts of laws conflicting with the provisions of this act be and the same are hereby repealed.

Approved February 12, 1879.

No. 122.]

AN ACT

[S. B. 259.

To establish a separate school district, to be known as New Market District in Madison county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as New Market district, be and the same is hereby established at New Market, in townships 1 and 2, range 2, east, Madison county, the boundary of which shall be as follows, to-

wit: Beginning at the northwest corner of the southwest quarter of section 19, in township 1, range 2, east, thence east four miles, thence south four miles, thence west four miles, thence north four miles to the place of beginning, containing sixteen square miles.

SEC. 2. Be it further enacted, That the New Market district shall receive its proportionate share of the public school revenue, including a pro rata share of the sixteenth section fund of each township that lies partly within said school district, and shall also receive all the tax collected as poll tax within the limits of the territory as set forth in the first section of this act; and the superintendent of education of Madison county shall set apart from the school revenue of the county, and disburse and use such pro rata share exclusively for the maintenance of the public schools in New Market district.

Approved February 13, 1879.

No. 339.]

AN ACT

[H. B. 476.

To constitute the town of Union Springs a separate school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the town of Union Springs, Bullock county, Alabama, shall constitute a school district separate and apart from the remaining school districts of the county of Bullock.

SEC. 2. Be it further enacted, That the mayor and board of councilmen of the town of Union Springs, and their successors in office, shall constitute a board of trustees for the school district, who shall, on the first Monday of April, 1881, hold an election in the district for the purpose of ascertaining the will of the citizens of the district; the vote shall be

taken viva voce, for or against the school district, and if two-thirds of the voters vote for the district, and a majority of the two-thirds be property holders, then the above board of trustees shall proceed to establish the school district under the regulations hereinafter set forth.

SEC. 3. Be it further enacted, That the board of trustees shall have the power to levy a tax on all property, both real and personal, within the bounds of such school district, not to exceed one-half of one per cent., for school purposes, and shall have the right to buy land for the purpose of building school houses, taking the deeds to themselves and successors.

SEC. 4. Be it further enacted, That said board of trustees are authorized to establish and locate the number of public schools to be taught each year within the school district, and elect teachers for the same, whether for males or females, white or colored, and perform all other duties imposed on township superintendents in this State.

SEC. 5. Be it further enacted, That the town of Union Springs, as such school district, shall receive its proportionate share of the public school revenue, including a pro rata share of the sixteenth section fund of each township that lies partly within the corporate limits of said town; and shall also receive all the tax collected as poll tax within the corporate limits of the town, for the use and maintenance of the public schools therein.

SEC. 6. Be it further enacted, That said board of trustees shall have power to elect a superintendent of the public schools of said district, who shall hold his office for the term of two years from October 1, 1881; such superintendent shall, before entering on the duties of the office, take the oath of office prescribed by law for all officers in this State, and shall give bond in such sum as may be fixed by said board of trustees, but not to be less than double the amount of school funds which he may have in his hands at any one time, and conditioned as all other official bonds; such bond

shall be approved by the probate judge of the county, and filed in his office, and a certified copy thereof shall be sent to the State Superintendent of Education, to be approved by him also and filed in his office; such superintendent shall be the custodian of all school funds belonging to his district, and shall disburse and account for the same in like manner as is required of county superintendents of education.

SEC. 7. Be it further enacted, That said superintendent of public schools for the town of Union Springs may be removed for cause at any time, either by the board of trustees or by the State Superintendent of Education, and when removed by either he shall be ineligible to re-election during the term for which he was originally elected; all vacancies in the office of superintendent of said district shall be filled by election by the board of trustees at any regular meeting and the person so elected shall hold for the unexpired term, and shall qualify and give bond as above required; the said superintendent shall be commissioned by the State Superintendent of Education, and he shall receive such compensation, to be paid out of the municipal treasury, as the board of trustees may fix, not to exceed one hundred dollars; said superintendent shall be required to make full and complete reports to the State Superintendent of Education, and perform such other duties as are required of county superintendents of education.

Approved March 1, 1881.

No. 184.]

AN ACT

[H. B. 249.

To constitute the town of Anniston a separate school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the town of An-

niston shall constitute a school district, separate and apart from the remaining school districts of the county of Calhoun.

SEC. 2. Be it further enacted, That the intendant and councilmen of the town of Anniston, and their successors in office, shall constitute a board of trustees for the district, which board shall proceed to establish said school district under the regulations hereinafter set forth.

SEC. 3. Be it further enacted, That the board of trustees shall have the power to levy a tax on all property, both real and personal, within the bounds of such school district, not to exceed one-half of one per cent. for school purposes, and shall have the right to purchase lands for the purpose of building school houses thereon, taking deeds to themselves and successors; but this section of this act shall not be operative, until the board of trustees shall hold an election in the district for the purpose of ascertaining the will of the qualified voters of the district; the vote shall be taken *viva voce*, for or against the levying of said tax, and if two-thirds of the voters vote therefor, then the above board shall proceed to levy and collect the same.

SEC. 4. Be it further enacted, That said board of trustees are authorized to establish and locate the number of public schools to be taught each year within the school district, and elect teachers for the same, whether for males or females, white or colored, and perform all other duties imposed on township superintendents in this State.

SEC. 5. Be it further enacted, That the town of Anniston, as a separate school district, shall receive its proportionate share of the school revenues apportioned to the county of Calhoun, including a *pro rata* share of the sixteenth section fund of each township that lies partly within the corporate limits of said town of Anniston.

SEC. 6. Be it further enacted, That said board of trustees shall elect a superintendent of the public schools of said

district, who shall hold his office for two years from March 1st, 1883; such superintendent shall, before entering upon the duties of the office, take the oath of office prescribed by law for all officers in this State, and shall give bond in such sum as may be fixed by said board of trustees, but not to be less than double the amount of school funds which he may have in his hands at any one time, and conditioned as all official bonds; such bond shall be approved by the Probate Judge of the county and filed in his office, and a certified copy thereof shall be sent to the State Superintendent of Education, to be approved by him, also, and filed in his office; and he shall receive from the county superintendent of education all school funds due to said district, and shall be the custodian of all moneys whatever belonging thereto, disbursing and accounting for the same in like manner as is required of county superintendents.

SEC. 7. Be it further enacted, That said superintendent of public schools for the town of Anniston, may be removed for cause, at any time, either by the board of trustees, or by the State Superintendent of Education, and when removed by either, he shall be ineligible to re-election during the term for which he was originally elected. All vacancies in the office of superintendent of said district, shall be filled by election by the board of trustees at any regular meeting, and the person so elected shall hold for the unexpired term, and shall qualify and give bond as above required; the said superintendent shall be commissioned by the State Superintendent of Education, and he shall receive such compensation, to be paid out of the municipal treasury, as the board of trustees may fix, not to exceed one hundred dollars per annum; said superintendent shall be required to make full and complete reports to the State Superintendent of Education, and perform such other duties as are required of county superintendents of education.

Approved February 3, 1883.

To establish a separate school district, to be known as the Peabody School District, in Russell county, Alabama, and for the appointment of a Board of Trustees for said school district, with certain powers and privileges.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as the Peabody School District, be and the same is hereby established, as hereinafter provided, in the county of Russell and State of Alabama, the boundary lines of which district, shall be as follows, to-wit: Beginning at a point on the west bank of the Chattahoochee river, where the boundary line between the counties of Lee and Russell strikes said river, thence running west along said boundary line to the northeast corner of the west half of section fifteen (15), in township seventeen (17) and range thirty (30), thence due south along the half section line to the southeast corner of the west half of section twenty-two (22) of said township and range, thence east along the section line between sections twenty-two and twenty-seven, and twenty-three and twenty-six to the Chattahoochee river, thence up and along the western bank of said river to the beginning point.

SEC. 2. Be it further enacted, That within thirty days after the passage of this act, an election shall be held in said district, for the purpose of ascertaining the will of the citizens of said district, as to the establishment of said district, and to elect fourteen trustees of said school district. Said election shall be conducted by three inspectors, who shall be appointed by the justices of the peace of the precinct in which said district is situated, and who shall administer an oath to said inspectors before they receive any votes, that they will conduct the election fairly. The vote shall be taken by ballot of the qualified electors of said district, said

electors inscribing on their ballots, "for school district," or "against school district," and also the names of fourteen trustees for said district. Said inspectors shall give ten days notice, by posting at Girard, and two other public places in said district, of the time and place of holding said election, and on the day of said election, shall receive and count the ballots and declare the result. Said election shall begin between the hours of eight and nine o'clock in the morning, and close at five in the afternoon, and if two-thirds of the voters at said election vote for the school district, and said two-thirds includes one-third of the freeholders of said district, then the said district shall be established, and the fourteen names receiving the highest number of votes for trustees, shall be trustees thereof, and it shall be the duty of said inspectors conducting said election, to certify, under oath, to the State Superintendent of Education, and also to the county superintendent of education, the result of said election, who shall file and record said certificate in their respective offices.

SEC. 3. Be it further enacted, That the trustees elected as prescribed in section two of this act, shall be known and constituted as a body corporate, under the name and title of "The Board of Trustees of the Peabody School District of Alabama."

SEC. 4. Be it further enacted, That the said board of trustees, or a majority of them, shall, within ten days after their election, meet and organize, at such place in said district, as a majority of said board shall decide as most convenient to the inhabitants of the whole school district, and elect one of their number to serve as president of the board for one year, and until his successor is elected, and a president of said board of trustees, shall, in like manner, be elected by said trustees, annually thereafter. The term of office of said trustees shall be as follows: Two of the trus-

tees elected as aforesaid, shall serve for one year, two for two years, two for three years, two for five years, two for six years, and two for seven years, and they shall draw lots to determine the time of office of each trustee. Upon the expiration of the term of service herein prescribed for any of said original trustees, the vacancy in said board shall be filled by appointment by the State Superintendent, with the advice and assistance of the county superintendent of education, and the person so appointed, shall hold office for the term of seven years, so that the time or term of two trustees of said board shall annually expire, and the vacancies so caused be annually filled. When a vacancy occurs in the board, or in the office of president of said board, by death or resignation, the board of trustees, by a majority thereof, may elect a proper person to fill the unexpired term. No person shall be eligible as, or shall be appointed trustee of said district, who does not reside therein.

SEC. 5. Be it further enacted, That within two days after the election of the president of the board of trustees, he shall, before some justice of the peace of the State, take and subscribe the following oath: "I, A. B., do solemnly swear, or affirm, that I will faithfully and uprightly demean myself as president of the board of trustees of the Peabody school district during my continuance in office; that I will, to the utmost of my skill and ability, promote the interest and prosperity of said district, especially promoting the facilities for giving free education to residents of this district; that I will not knowingly and wilfully use, or be the cause of using tyrannical means, towards any portion of the citizens of said district, so help me God." And the president, after being so qualified as aforesaid, shall have full power and authority to administer said oath to each "member" of the board of trustees for "president." And the president of said board, or a president *pro tem.* elected by a majority of said board, shall also have power to admin-

ister such oath or affirmation to such person or persons as they may elect to carry out or enforce the purposes of this act.

SEC. 6. Be it further enacted, That the president of said board shall have the same jurisdiction, powers and authority, and be entitled to the same fees, as a justice of the peace of the precinct in which said district is situated, upon giving the same bond and taking the same oath prescribed for justices of the peace by law, and a majority of said board shall elect one or more marshals, who, on taking the oath, and filing the bond prescribed for constables in Alabama, shall have the same power and authority and be entitled to the same fees as constables are entitled to.

SEC. 7. Be it further enacted, That the said board of trustees of the Peabody school district of Alabama, shall have full power and authority to enact such by-laws as they may deem necessary for the proper government of their body, and to pass ordinances for the inauguration of a system of education in said district, and for the full protection and welfare of the public school interests in the same, not in conflict with the constitution and laws of the State of Alabama.

SEC. 8. Be it further enacted, That the school district established under this act, shall be entitled to its proportional share of the State school fund, according to the number of children in said school district of the legal educational age; and also to the whole amount of poll tax collected in said district; Provided, That the poll tax so collected from the white population, shall be appropriated to the white schools; and the poll tax collected from the colored population, shall be appropriated to the colored schools.

SEC. 9. Be it further enacted, That the said board of trustees shall have power to levy a tax for school purposes, not to exceed one half of one per cent. upon all property, both real and personal, within the bounds of said school

district, and the tax assessor of the county of Russell shall, by direction of the said board of trustees, assess said tax, which said assessment shall be collected by the tax collector of Russell county, at the same time and in the same manner with the annual State and county taxes, and said tax, when collected, shall be paid to the county superintendent of education, less the fees for collecting and assessing, which shall be the same as the legal fees for collecting and assessing the State and county taxes, and the county superintendent of education shall pay the same to the order of the said board of trustees of the Peabody School District, for educational purposes.

SEC. 10. Be it further enacted, That the president of said board of trustees, in addition to the power and authority given him in section six, as justice of the peace, shall have full power and authority to enforce such ordinances as shall be made by said board of trustees, not in conflict with the constitution and laws of this State for the protection of the schools, school grounds and school buildings in said school district, against disorderly persons, and for the preservation of the peace in said district, and to punish violations of such ordinances by the imposition of fines, not exceeding fifty dollars, and imprisonment not exceeding twenty days, and to enforce and collect said fines by execution against the property of the offenders, and in case any person shall fail to pay the fine so imposed, or confess judgment with sufficient sureties for the same, may either imprison or sentence such persons to hard labor, under the direction of the marshal of said district, on the public roads within said district, as follows: If the fine exceeds twenty but does not exceed fifty dollars, twenty days; if it does not exceed twenty dollars, ten days. And all fines collected under this section shall be appropriated, under the direction of the said board of trustees, to educational purposes in said district. And in order to enforce the provisions of this act,

the said board are hereby empowered to provide a house of detention for the reception of persons sentenced to imprisonment by the president of said board as aforesaid.

SEC. 11. Be it further enacted, That the said board of trustees are hereby empowered to purchase lands for the purpose of building school houses, taking the deeds to themselves and their successors, and to erect, build and rent school houses and employ teachers, and in addition to the powers heretofore granted in this act, shall have all powers, and be subject to the same restrictions and duties as to said district as the Code of Alabama, sections 949, 951, 953, 954, 956 and 957 provides for township trustees of public schools.

SEC. 12. Be it further enacted, That no license shall be granted for the sale of spirituous, vinous or malt liquors within said district, to any person, firm or corporation, without the recommendation of such board of trustees as to their moral fitness.

SEC. 13. Be it further enacted, That said board of trustees may require any person, firm or corporation desiring to engage in the business of retailing spirituous, vinous or malt liquors within said district, before engaging in said business, to annually pay for and take out a license to be issued by the president of said board of trustees, the amount to be paid for said license not to exceed one hundred dollars, nor to be less than ten dollars; and it shall be unlawful for any person, firm or corporation to engage in said business without first having paid to the president of said board the amount required for said license; and any person, firm or corporation violating the provisions of this section shall be guilty of a misdemeanor, and shall be fined not more than three times the amount of said license, and the president of said board shall have jurisdiction to try and punish violations of this section, as in section ten of this act. And the amounts received from licenses under this section shall be

appropriated, under the direction of said board, to educational purposes in said district.

SEC. 14. Be it further enacted, That this act may be pleaded in bar of any action or suit that may arise from the proper exercise of the powers herein granted.

SEC. 15. Be it further enacted, That should either of the trustees of said district become obnoxious to the citizens of said district, then upon a petition of a majority of the qualified electors of said district, including one-third of the freeholders residing and owning property therein, and upon showing good cause, the Superintendent of Education of Alabama shall remove said obnoxious trustee from office and fill the vacancy for his unexpired term.

Approved February 10, 1883.

No. 201]

AN ACT

[H. B. 435.

To establish a separate school district in Marengo county to be known as the Faunsdale School district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district to be known as the Faunsdale School district, be, and the same is hereby established, to consist of township 17, range 5 east, in Marengo county.

SEC. 2. Be it further enacted, That it shall be the duty of the State Superintendent of Education immediately on the passage of this act, to appoint a district superintendent of education for said district, who shall be required before entering upon the duties of his office to execute a bond for four thousand dollars, which shall be payable, conditioned and approved in the same manner as the bonds of county superintendents of education are now payable, conditioned and approved.

SEC. 3. Be it further enacted, That it shall be the duty of said district superintendent to lease or rent, and otherwise manage the 16th section located in said school district, and collect the rents for the same, to receive all moneys of every sort, due and payable to said school district, and to disburse the same for the benefit of the public schools of said school district.

SEC. 4. Be it further enacted, That it shall be the duty of the tax collector of Marengo county to pay over to the said district superintendent, all the poll tax that may be collected from the people residing in said district.

SEC. 5. Be it further enacted, That all claims for delinquent poll tax against the tax payers residing in said district, shall be turned over by the probate judge of Marengo county to said district superintendent, whose duty it shall be to collect the same, if possible; and he shall be entitled to receive for his services the same fees or compensation, as are now allowed by law to notaries public or justices of the peace for the collection of such delinquent taxes.

Approved February 13, 1883.

No. 256.]

AN ACT

[S. B. 291.

To create a separate School District of certain fractional Townships in Dallas County.

SECTION 1. Be it enacted by the General Assembly of Alabama, Those portions of township 16, range 11 and 12, north and west of the Alabama river, and township 17, range 12, and that part of township 17, range 11, which lies east of Beach creek, Dallas county, be and the same are hereby constituted a separate school district,

SEC. 2. Be it further enacted, That the said separate school district be under the jurisdiction of a superintendent, to be appointed by the superintendent of education of the county, as other township superintendents are appointed, with same powers, duties and rights as other township superintendents have and exercise.

Approved February 22, 1883.

No. 298.]

AN ACT

[H. B. 772.

To form a separate School District in the territory east of Shoal Creek, embraced in township 2, range 10, west, in the county of Lauderdale,

SECTION 1. Be it enacted by the General Assembly of Alabama, That the following described territory, to-wit: All that portion of township 2, range 10, west, in the county of Lauderdale, be and the same is hereby constituted a "School District," separate and apart from the remainder of the township from which the same has been taken, and shall be under the supervision of a district superintendent of public schools as to all matters pertaining thereto.

Approved February 23, 1883.

No. 329.]

AN ACT

[S. B. 212.

To be entitled an act to form a separate school district out of townships 5 and 6, ranges 21 and 22, embracing the Clintonville school in Coffee county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the following described district, to-wit: Commencing at the southeast corner of section twenty, township

five, range twenty-two; thence west across four and a half sections to the southwest corner of the southeast quarter of section twenty-two, township five, range twenty-one; thence north along the half section line to the northwest corner of the northeast quarter of section twenty-two, township five, range twenty-one; thence east to the southeast corner of section fifteen, same township and range; thence north along the section line to Pea river; thence up said river to the Hutchison creek, which is the northern boundary of the Clintonville beat; thence up said creek and along said beat line to a point reaching the east line of the second section from the range line between ranges twenty-one and twenty-two; thence south along the section lines two miles from and parallel with said range line to the starting point, lying in the county of Coffee, be, and the same hereby is, constituted a school district, separate and apart from the remainder of the townships from which the same is taken, and shall be under the supervision of a township superintendent of public schools, as to all matters connected with public schools.

SEC. 2. Be it further enacted, That all persons residing outside of the district, as described in the foregoing section of this act, and within one-quarter of a mile of the line, shall have an optional right to be included in the school district—the choice of such persons to be final.

SEC. 3. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

Approved February 23, 1883.

No. 115.]

AN ACT.

[s. 89.]

To amend sections 7, 9 and 10 of an act to establish a separate school district to be known as the Peabody School District, in Russell county, Alabama, and for the appointment of a board of trustees for said school district, with certain powers and privileges, approved February 10th, 1883.

SECTION 1. Be it enacted by the General Assembly of Alabama, That sections 7, 9 and 10 of an act to establish a separate school district to be known as the Peabody School District, in Russell county, Alabama, and for the appointment of a board of trustees for said school district, with certain powers and privileges, be and the same is hereby amended so as to read as follows:

SEC. 7. Be it further enacted, That the said board of trustees of the Peabody School District of Alabama shall have full power and authority to enact such by-laws as they may deem proper for the government of their body and to pass ordinances for the inauguration of a system of education in said district, and for the full protection and welfare of the public schools, and school interest in the same, and to make all needful sanitary regulations and ordinances for the preservation of the peace and good order of said district; and said board shall have general supervision and control of the public roads and streets, and public cemetery grounds in said district, to repair and keep in order the same, and shall have within the limits of said district the power to appoint, commission and excuse appportioners and overseers upon the public roads and streets of said district in the same manner as is now done under the law by the Commissioners' Court and probate judge of Russell county, and the terms of service, duties, liabilities and penalties now impos-

ed by law upon apportioners and overseers under the general road laws of this State, shall, so far as the same may be applicable, attach to the said officers so appointed in said district. All persons residing in said district, not exempt from all road duty by the general road law of this State, shall be liable to do road duty in said district, to the same extent and under the same penalties as are now prescribed by said general road laws for persons liable to do road duty thereunder; Provided, however, that any person subject to road duty within said district when summoned to perform said duty may, before default made in lieu of the performance of said duty, pay over to the secretary of said board such sum not less than one nor more than three dollars, as shall be fixed by said board; and all sums so paid in lieu of said road duty and all fines imposed and judgments collected for failure to do road duty, in said district, shall be paid over to the secretary of said board of trustees, to be expended under the direction of said board, in the repair and improvement of the public roads and streets in said district. No person residing in said district shall be liable to do road duty outside of the limits of said district, and no person residing outside of said limits shall be liable to do road duty within said district. And from and after the passage of this act, the county authorities of Russell county shall be relieved from the duty and obligation of providing for working the roads and repairing and keeping in order any of the bridges within the limits of said district, except such as have been built by contract with the county commissioners.

SEC. 9. Be it further enacted, That the said board of trustees shall have the power to levy a tax for school purposes, not to exceed one-half of one per cent. upon all property, both real and personal, within the bounds of said school district; and the tax assessor of the county of Russell shall, by the direction of the said board of trustees, assess said

tax, which said assessment shall be collected by the tax collector of Russell county, at the same time and in the same manner, which the annual State and county taxes and said tax, when collected, shall be paid to the secretary of said board of trustees, less the fees for collecting and assessing, which shall be two and one-half per cent. for assessing, and two and one-half per cent. for collecting the same, and the secretary of said board shall hold the same subject to the order of said board of trustees for educational purposes, but said secretary, before any moneys shall be paid over to him under this act, shall be required to give bond, with two sureties, payable to said board of trustees in such sum as shall be fixed by said board, conditioned faithfully to discharge the duties which are, or may be required of him as such secretary, during the time he may continue in office, or discharge any of the duties thereof, which bond must be approved by said board, and safely kept by the president thereof.

SEC. 10. Be it further enacted, That the president of said board of trustees, in addition to the power and authority given him in section six, as justice of the peace, shall have power and authority to enforce such ordinances as shall be made by said board of trustees in pursuance of the powers herein granted, for the full protection and welfare of the public schools and school interest in said district, and for the preservation of the peace and health and good order of said district, and to punish violations of such ordinances, by the imposition of fines, not exceeding fifty dollars, and imprisonment or hard labor upon the public streets and roads within said district not exceeding twenty days, and to enforce and collect said fines by execution against the property of offenders. And in case any person shall fail to pay the fine so imposed, or confess judgment with sufficient sureties for the same, may either imprison or sentence such per-

son to hard labor under the direction of the marshal of said district on the public roads within said district as follows: If the fine exceeds twenty, but does not exceed fifty dollars, twenty days; if it does not exceed twenty dollars, ten days; and all fines collected under this section shall be paid over to the secretary of said board, to be appropriated under the direction of said board, to such uses and expenses as shall be necessary and proper to effect the purposes and objects of this act. And said board are hereby empowered to provide a house of detention for the reception of persons committed or sentenced to imprisonment or hard labor by the president of said board as aforesaid; Provided, however, that from any judgment of the president of said board under this section and section 13 of this act, the defendant may take an appeal to the next term of the Circuit Court of Russell county, upon entering into bond, to be approved by said president, payable to said board, with two good sureties, in such sum as said president shall require, not greater, however, than twice the fine and costs, when a fine is imposed, and not greater than one hundred dollars, when imprisoned, or hard labor is imposed, conditioned to appear and prosecute such appeal to effect, and pay and satisfy the judgment with costs, in case the judgment shall be affirmed by said Circuit Court, or to appear and pay such judgment as said Circuit Court may render in said appeal cause, but, unless such bond be given within five days from the date of the judgment of said president, no appeal shall be allowed. If the defendant fails to appear in said Circuit Court when the case is called for trial, unless good cause is shown to the court for his absence, the judgment of the president of said board shall be affirmed by said Circuit Court, and if a fine was imposed, judgment rendered against the defendant and the sureties on his appeal bond for the amount of the fine and costs; and, if the defendant appears and judgment

is rendered against him by the Circuit Court for money, the court must also render judgment against the sureties on his appeal bond, for the amount of said judgment and costs, but if the judgment of said court be, that the defendant be imprisoned, or put to hard labor, then said court shall render judgment against the defendant and his sureties for the costs of the appeal, and trial before the president of said board, and remand the defendant for punishment.

Approved December 5th, 1884.

No. 188.]

AN ACT

[s. 362.

To constitute the town of Blountsville and vicinity, in Blount county, a separate school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the town of Blountsville and vicinity, in a square within one mile on the east, within two miles on the north, within two miles on the west, and within two miles on the south, of the court house in said town, shall constitute and are hereby created a school district separate and apart from the other school districts in said county, and the inhabitants of said town and vicinity within said limits are hereby incorporated by the name of "The Blountsville School District."

SEC. 2. Be it further enacted, That the said Blountsville school district shall receive its proportionate share of the public school revenue, including a *pro rata* share of the sixteenth section funds of such townships that lie partly within the limits of said school district, and shall receive all poll taxes collected within said limits. The superintendent of Blount county shall set apart from the school revenue of the county the proportionate and *pro rata* aforesaid, and shall pay the same over to the treasurer of the board of

trustees of said district, who shall also receive the poll taxes aforesaid.

SEC. 3. Be it further enacted, That John M. Doyle, John W. Moore, James C. McPherson, A. E. Fields, and W. F. Dickinson, and their successors in office, are hereby created and incorporated as a board of trustees for said school district. The said trustees shall have authority to fill any vacancies in the board, and a majority of the board shall constitute a quorum to transact business. The board shall elect one of their number as president, and one as secretary of the board, who shall receive no compensation for their services; and they shall also elect a treasurer, who shall hold his office for the term of one year and until his successor is elected and qualified. The treasurer must take the oath of office as required of officers in this State, and he must, before entering upon the discharge of his duties, give bond, with sufficient sureties, in such sum as the board may prescribe, payable to the board of trustees of the Blountsville school district, with conditions as provided by law for official bonds. The treasurer shall receive and keep all moneys belonging to the said school district, and shall pay out the same only on the order of the board, approved by the president thereof.

SEC. 4. Be it further enacted, That the said board of trustees and their successors in office, shall have the power to levy an annual tax on all property and subjects of taxation of every name and nature within the limits of said school district, not to exceed one-half of one per centum, for school purposes, and to do all things necessary and proper to establish and maintain an efficient school system, to acquire and hold any property real or personal, for school purposes, to build and furnish necessary school houses, and generally to promote the cause of education within said limits. The board is authorized and required to determine and locate the number and character of schools, white or colored, to be taught each year.

SEC. 5. Be it further enacted, That the board of trustees of said school district shall make report, as is now required of township trustees or superintendent, to the county superintendent, and the board shall have authority to receive any scholars not living within the limits of said school district, upon such terms as may be agreed on.

SEC. 6. Be it further enacted, That the annual tax levy hereby authorized shall be made by said board of trustees upon the basis of the assessment of the county for the year, subject to such additions and corrections as may be just and proper, with the right of complaint and appeal as authorized by law as to State and county taxes. When the levy is completed and corrected, tax lists shall be made out by the secretary of the board of trustees, and delivered to the tax collector of the county, who is authorized and required to collect such taxes, at the same time, in the same manner and with the same power and authority and under the same penalties and liabilities as in case of State and county taxes. When, and as collected, the tax collector, after deducting two per cent. as his commissions for collecting, shall pay the same over to the treasurer of the board of trustees, and take his receipts therefor.

SEC. 7. Be it further enacted, That it shall be unlawful for any person to sell, give or deliver, or to aid or assist in the sale, gift or delivery of any spirituous, vinous or malt liquors, or intoxicating bitters or beverages, within the limits of said school district; and any person violating the provision of this section shall be guilty of a misdemeanor, and punished therefor by a fine of not less than one hundred dollars, payable in currency, and when collected all such fines shall be paid to the treasurer of said board of trustees as a part of the school funds of said district.

Approved February 5, 1885.

No. 199.]

AN ACT

[H. B. 169.]

To amend an act approved February 3d, 1883, entitled an act to constitute the town of Anniston a separate school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That section five (5) of an act entitled "an act to constitute the town of Anniston a separate school district," approved February 3d, 1883, be amended so as to read as follows :

SEC. 5. Be it further enacted, That the town of Anniston, as a separate school district, shall receive its proportionate share of the school revenues appropriated to the county of Calhoun, including a *pro rata* share of the sixteenth section fund of each township that lies partly within the corporate limits of said town of Anniston, and it shall also receive all the poll tax paid by the tax payers in the Anniston district, but the poll tax paid by the white tax payers shall be appropriated to the white schools, and the poll tax paid by colored tax payers shall be appropriated to colored schools.

Approved February 7, 1885.

No. 205.]

AN ACT

[H. B. 261.]

To establish the Haw Ridge Public School District in Dale and Coffee counties and Magnolia School District in Dale county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the following described district in Dale and Coffee counties, commencing at the northeast corner of the southwest quarter of section 29, township 6, range 23 in Dale county, and thence west with land line to the northwest corner of the southeast quarter of section 26, township 6, range 22 in Coffee county, and thence south with

land lines to the southwest corner of the northeast quarter of section 11, township 5, range 22 in Coffee county, thence east with land lines to the southeast corner of northwest quarter of section 8, township 5, range 23 in Dale county, and thence north with land lines to the point of beginning herein described, be and the same as herein described and bounded, is constituted a public school district and shall be known as the "Haw Ridge School District," and shall be under the supervision of two district superintendents, both of whom must reside in said district, one in Dale county, the other in Coffee county, each of whom must be appointed and their successors in office, as provided by law, by the respective county superintendents of education of Dale and Coffee counties.

SEC. 2. Be it further enacted, That said district superintendents shall have joint supervision of the public schools in said district, locate the same and employ, and contract with the teacher or teachers thereof, and in all things pertaining to said district, do and perform such duties as are required of district or township superintendents of public schools, in this State, as provided by law, but, shall report the pupils within the educational age to the county superintendant of the county in which the parents or guardians of such pupils reside.

SEC. 3. Be it further enacted, That whenever said district superintendents shall disagree in any thing or question wherein their joint consent is required, they shall select any freeholder in said district, to act with them, and the agreement of two of them, shall be the agreement as to the thing or question disagreed between said district superintendents.

SEC. 4. Be it further enacted, That the county superintendents of Dale and Coffee counties shall receive all funds apportioned said district or accruing therein in their respective counties, and shall disburse the same for the use of the public school of said district in like manner as provided by law for maintaining public schools in this State.

SEC. 5. Be it further enacted, That teachers of a public school in said district, shall make reports, as required by law, to the county superintendent of each county in which the parents or guardians of the children reside attending such school, which reports shall not include any who reside in one county in such report to the county superintendent of the other county.

SEC. 5. Be it further enacted, That all of range twenty-five east of Choctawhatchie, and all of range twenty-six west of Bear creek, all of township seven in Dale county, be and the same is hereby created and constituted a public school district and shall be entitled to all the immunities, privileges and benefits as provided by law for public schools in Dale county, and shall be known as the Magnolia District.

SEC. 6. Be it further enacted, That the county superintendent of education for Dale county be and is required to appoint in and for Magnolia district in the same manner as are appointed in the townships and districts, a district superintendent who shall be authorized to discharge and perform all and singular duties required by law of township or district superintendents in said county.

Approved February 7, 1885.

No. 210.]

AN ACT

[H. B. 372.

To form a separate school district in the territory southwest of Lost Creek, in township 14, range 8 west, and that part of township 14, range 9 west, being within the radius of one and one-half miles of Pleasant Hill church, in the county of Walker.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the following described territory, to-wit: All that part of township 14, range 8 west, southwest of Lost Creek, and that part of township 14, range 9 west, being within the radius of one and one-half miles of Pleasant Hill church, in the county of Walker, be and the same

is hereby constituted a school district, separate and apart from the remainder of the townships from which the same has been taken, to be known as Pleasant Hill school district, and shall be under the supervision of a district superintendent of public schools appointed by the county superintendent of education, with power to transact all matters pertaining thereto.

Approved February 7, 1885.

No. 278.]

AN ACT

[H. B. 969.

To establish and define the boundary lines of Spring Hill School District, Pike county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a school district be made and established, embracing that part of the territory of Pike county from the line of Coffee county north, lying and being between White Water Creek from the Coffee county line north to the junction of White Water Creek and Walnut Creek, thence on the line of the channel of Walnut Creek north to the north line of section 35, township 9, range 21, on the east; and Big Creek from the Coffee county line north to the north line of section 31, township 9, range 21, on the west. Said school district to embrace all the territory between the said creeks from the Coffee county line north to and embracing all that portion of sections 31, 32, 33, 34 and 35, township 9, range 21, lying between said creeks, and all that portion of township 8, range 21, lying west of White Water and Walnut creeks, and all that portion of township 8, range 20, lying east of Big Creek. Said school district, as above described, to be known as Spring Hill School District, Pike county.

Approved February 13th, 1885.

No. 287.]

AN ACT

[H. B. 670.]

To establish a separate school district, to be known as the Cullman School District, in Cullman county, Alabama, and for the appointment of a board of trustees, for said school district with certain powers and privileges.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district be, and the same is hereby established, as hereinafter provided, in the county of Cullman and State of Alabama, which district shall be composed and consist of all that territory included in sections nine (9,) ten (10,) eleven (11,) fourteen (14,) fifteen (15,) sixteen (16,) twenty-one (21,) twenty-two (22) and twenty-three (23) in township ten (10) of range three (3,) west.

SEC. 2. Be it further enacted, That to carry out the purposes of this act, Adam Dreher, A. B. Hays, Julius Damus, George H. Parker and P. M. Musgrove are hereby constituted and appointed a board of trustees of said "Cullman School District," who shall have power to purchase, receive, hold and convey for and in behalf of said school district, all such real and personal property as may be necessary or proper for the purposes of said school district, and who shall control the disposition of all funds which may be received by or for said school district. They shall also have power to build suitable school houses, and buy furniture for the same.

SEC. 3. Be it further enacted, That, as soon as practicable, after the passage of this act, the said persons hereinabove named, or a majority thereof, shall proceed to organize said board of trustees by electing one of their number president of the board, and by electing some suitable per-

son or persons, whether members of the board or not, as secretary of the board and treasurer of the school district; Provided; however, the secretary of the board and treasurer of the district may be one and the same person, if the board shall so elect.

SEC. 4. Be it further enacted, That the term of service of the persons hereinabove named as trustees shall be from the approval of this act until the 1st day of October, 1886, or until their successors are appointed and qualified, and their successors and all subsequent boards of trustees shall consist of five persons, who shall be appointed by the Superintendent of Education of Alabama on the 1st day of October, 1886, or as soon as practicable thereafter, and every two years thereafter, who shall likewise hold office for the term of two years or until their successors are appointed and qualified. In case of a vacancy in said board of trustees from any cause, the remaining members of said board shall have power to fill said vacancy for the unexpired term.

SEC. 5. Be it further enacted, That the terms of service of the secretary and treasurer shall be for two years from the date of their election, but they may be removed by said board of trustees at any time. The board shall require of the treasurer so elected a bond in such amount as may be fixed by them; in no case to be less than double the amount of funds that will be in his custody at any one time payable to said school district, and conditioned to safely keep and to disburse according to law all money which may come into his hands as a treasurer of said school district, and to be approved by the president of said board and filed with him. A copy of said bond, certified to by the president of said board, shall be filed in the office of the State Superintendent of Education of Alabama. The board may require a new or additional bond with other or additional securities, and a different amount, whenever they see proper so to do. The

said treasurer shall receive such compensation as may be fixed by said board of trustees, but in no case to be more than two per centum of the money disbursed by him.

SEC. 6. Be it further enacted, That no one but a freeholder resident within said district shall be eligible to be appointed as member of said board of trustees or elected secretary or treasurer thereof. Said trustees and treasurer shall take the oath of office prescribed by law for all officers in this State before entering upon the duties of their offices.

SEC. 7. Be it further enacted, That said board of trustees may meet at such time and places within said district as they may designate, and shall take such measures as may be proper to establish such schools in said district as may be necessary for the accommodation of the youth thereof of each race, to grade such schools, prescribe the text-books to be used therein, employ teachers, and generally to make such rules and regulations for such school district as to them may seem best and not in conflict with the laws of the State. The State Superintendant of Education shall furnish said board of trustees such books and blanks as are furnished to the county superintendant of education.

SEC. 8. Be it further enacted, That said board of trustees shall have power to receive any scholar not living within said district on such terms as they may designate.

SEC. 9. Be it further enacted, That the trustees of said district shall receive no compensation as such trustees.

SEC. 10. Be it further enacted, That the said school district shall be entitled to receive its proportionate share of all funds raised or appropriated by the State for public schools, and shall also receive its pro rata share of the sixteenth section interest accruing to the township of which said school district is composed; and it shall receive all poll tax which may be collected from residents of said school district, and all funds which may be donated to said school district. All

funds for said school district shall be paid to the treasurer of the district, who shall receipt for the same, and the superintendent of education of the State, or other proper State officer, shall give the necessary orders and instructions and issue the necessary warrants or certificates to secure the payment of said school district of all funds to which it may be entitled from the State or from poll tax, direct to the treasurer of the said school district.

SEC. 11. Be it further enacted, That the said board of trustees shall have power to levy an annual tax for school purposes, not to exceed one-half of one per cent., and for building purposes and furniture, not to exceed one-half of one per cent. for the first and second years, upon all property, both real and personal, within the bounds of said school district, and the tax assessor of the county of Cullman shall, by direction of said board of trustees, assess said tax, which said assessment shall be collected by the tax collector of Cullman county at the same time, and in the same manner, with the annual State and county taxes, and said tax, when collected, shall be paid to the treasurer of said school district, who shall receipt for the same, less the fees for assessing and collecting, which shall be the same as the legal fees for assessing and collecting the State and county taxes. Said taxes shall become a lien on said property at the time and in the same manner as State and county taxes, as prescribed by the laws of the State.

SEC. 12. Be it further enacted, That said board of trustees shall make annual reports to the State superintendent of education the same as required of the county superintendents of education.

SEC. 13. Be it further enacted, That this act shall take effect from the date of its approval; Provided, that any pro rata balance remaining in the hands of the county superintendent of education of Cullman county for the scholastic year ending the 30th day of September, 1885, from said

township of which said school district is composed, shall be paid to the treasurer of said school district.

SEC. 14. Be it further enacted, That all laws or parts of laws in conflict herewith, be and the same are hereby repealed.

Approved February 14, 1885.

No. 335.]

AN ACT

[s. 274.

To constitute the town of Warrior a separate school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the town of Warrior shall constitute a school district, separate and apart from the remaining school districts of the county of Jefferson.

SEC. 2. Be it further enacted, That the intendant and councilmen of the town of Warrior and their successors in office, shall constitute a board of trustees for the district.

SEC. 3. Be it further enacted, That the board of trustees shall have power to levy a tax on all property, both real and personal, within the bounds of such school district, not to exceed one-half of one per cent. for school purposes.

SEC. 4. Be it further enacted, That said board of trustees are authorized to establish and locate the number of public schools to be taught each year within the school district, and elect teachers for the same, and perform all other duties imposed on township superintendents in the State.

SEC. 5. Be it further enacted, That the town of Warrior as a special school district shall receive its proportionate share of the school revenues apportioned to the county of Jefferson, including the pro rata share of the 16th section funds of such township as lie partly within the corporate limits of the town of Warrior.

SEC. 6. Be it further enacted, That the board of trustees as constituted in the act, shall control, manage and disburse

all revenues which may be raised by special tax or otherwise for the maintenance of the public schools within the limits of the town of Warrior, and under such rules and regulations as the board of trustees may prescribe.

SEC. 7. Be it further enacted, That the trustees shall have power to buy lands for the purpose of building school houses, which land shall be deeded to themselves and their successors in office as trustees of said school district. They shall also have power to build suitable school houses and buy furniture for the same.

SEC. 8. Be it further enacted, That they shall have power to receive any scholars not being within the limits of the district, on such terms as may be agreed upon. They shall also have power to grade their school.

Approved February 17, 1885.

No. 359.]

AN ACT

[H. B. 453.]

To lay off and establish a separate school district of parts of township 12, range 7, and township 12, range 8 in Etowah and Calhoun counties.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the following parts of township 12, range 7, and of township 12, range 8 in Etowah and Calhoun counties, be and the same is hereby established and made a separate school district, to-wit: Beginning where the Jacksonville road crosses Big Cane creek, thence along said road to Collin's gap on Calvin's mountain, thence along said mountain to Connor's Gap, thence along the big road to Dry Creek mountain, thence west along said mountain to the beginning.

SEC. 2. Be it further enacted, That Newton Ford, Wyley Weaver and Edward Vaughn are hereby appointed trustees of said separate school district until the next regular election in August, 1886, at which time and thereafter at the

regular election of county officers, trustees for said district shall be elected.

SEC. 3. Be it further enacted, That said trustees before entering upon the duties of their office shall take the oath of office prescribed by law for all offices in this State, and shall give bond in such sum as may be fixed by the probate judge of Etowah county, but not to be less than double the amount of school funds which may be in their hands at any one time, and conditioned as all other official bonds. Such bond shall be approved by the probate judge of Etowah county and filed in his office, and a certified copy thereof sent to the State superintendent of education, to be approved by him also and filed in his office; and they shall receive from the county superintendents of education of Etowah and Calhoun counties all school funds due to said district, and they shall be the custodians of all moneys whatever belonging thereto, disbursing and accounting for the same in like manner as is required of county superintendents.

SEC. 4. Be it further enacted, That said trustees shall require of teachers the same qualifications and examinations as in other school districts.

SEC. 5. Be it further enacted, That all laws in conflict with this act be and the same are hereby repealed.

Approved February 17, 1885.

No. 398.]

AN ACT

[H. B. 792.

To constitute the town of Auburn, Lee county, a separate school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the town of Auburn, county of Lee, shall constitute a school district separate and apart from the remaining districts or townships in Lee county.

SEC. 2. Be it further enacted, That the mayor and council of the town of Auburn shall, at a regular meeting of the council, on or before the 15th day of June, of each year, elect seven resident freeholders or householders of the town of Auburn, and the persons so elected shall constitute a board of education for such school district, and shall hold office for one year or until their successors are elected and qualified. The said board shall elect one of their number to be president and one to be secretary and treasurer of said board.

SEC. 3. Be it further enacted, That said board shall have power to levy and have collected a tax on all real and personal property within the bounds of such school district, not to exceed one-half of one per cent. for school purposes; and shall have the right to purchase and hold property for the purpose of building school houses thereon, taking deeds to themselves and their successors in office.

SEC. 4. Be it further enacted, That the board of education shall cause all property, both personal and real, belonging to the white and colored persons in said school district, to be assessed by the marshal of the town of Auburn in the same manner as State and county taxes are now assessed by the tax assessors in this State; and the said marshal shall keep separate lists of the assessments made against the property of each race, and shall furnish to the secretary and treasurer of the board of education by the first Monday in July, of each year, an assessment list which shall show the race to which the property so assessed belongs, also each item of taxation assessed, amount and value of each item as valued by the tax payer or ascertained by the marshal; and the marshal before commencing to list the property of any tax payer, shall administer to such tax payer the oath now required to be administered to tax payers by the tax assessors in this State. The board of education shall have power to correct any errors and to increase or re-

duce any assessment when it is made to appear that the same has been assessed at less than its value, or that such assessment is excessive; and the board shall have a meeting on the first Wednesday in August, of each year, to hear and determine all such matters.

SEC. 5. Be it further enacted, That the secretary and treasurer of the board of education shall, before the 30th day of September of each year, make out from the assessments furnished him by the marshal of the town of Auburn, a full and complete list of all the taxes due from the tax payers in said school district, said list to show the amount due from the white tax payers and the amount due from the colored tax payers within said district; and the said marshal shall, on the first day of October, of each year, begin the collection of such tax, keeping separate the amount collected from each race; and the amount collected from the white race shall go to the support of the white schools and the amount collected from the colored race shall go to the support of the colored schools established in said school district.

SEC. 6. Be it further enacted, That the marshal of the town of Auburn in the collection of the tax provided for in the third section of this act shall have the same powers, pains and penalties as are now allowed by law the tax collectors in this State for the collection of State and county taxes, and the said marshal shall, at the end of each month, pay over to the secretary and treasurer of the board of education all amounts collected by him during the month, taking receipts therefor in duplicate, one of which receipts to be kept by himself and one to be given to the president of the board of education. The marshal shall give bond in such sum as the board may fix, not to be less than double the amount likely to be in his hands at any one time—said bond to be approved by the president of the board; and the

To constitute the city of Tuscaloosa a separate school district, and to provide for the management of the public schools in said school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the city of Tuscaloosa, and that portion of Tuscaloosa county within one mile of the corporate limits of said city, south of the Warrior river, shall constitute a school district, separate and apart from the other school districts in the county of Tuscaloosa, and the inhabitants of said city are hereby incorporated by the name of "The School District of the City of Tuscaloosa."

SEC. 2. Be it further enacted, That the city of Tuscaloosa, as such separate school district, shall receive the proportionate share of the public school fund coming to the county of Tuscaloosa, including a pro rata share of the sixteenth section fund of each township that lies partly within the school district of the city, and shall receive all the taxes collected as poll taxes within such school district, said fund and taxes to be drawn and distributed by such officer as may be appointed for that purpose by the board of education of the school district of the city of Tuscaloosa, in the same manner as county superintendents of education draw and disburse the funds for their respective counties; and the amount thus drawn for the school district of the city of Tuscaloosa shall be used exclusively for the maintenance of public schools in said district, and the city of Tuscaloosa is authorized to increase its school fund by receiving donations, but for the disbursement of all donated funds no charge whatever shall be made, and the mayor and aldermen of the city of Tuscaloosa are hereby authorized to increase the school fund by levying a tax, not to exceed one-fourth of one per cent. on the taxable property of the said

city, which shall be collected as the other taxes of said city. The tax collector of the city of Tuscaloosa shall be authorized and empowered to collect the State and county poll taxes of all the inhabitants of said school district liable to pay said tax in the same manner as is now by law provided for the collection thereof.

SEC. 3. Be it further enacted, That the public schools of the school district of the city of Tuscaloosa, shall be under the charge of a board of education, to consist of the mayor of Tuscaloosa, who shall be ex officio president of said board, and four other persons, residents of said district to be elected by the mayor and aldermen of said city at their regular meeting in the month of July, 1885; the two first elected shall hold their office for the term of one year, and the two last elected shall hold their said office for the term of two years, and at each regular meeting in the month of July of each year, they shall elect two suitable persons to succeed those whose offices have expired so that two of such persons shall be elected annually, and the president of said board shall make reports and furnish statistics and information to the superintendent of education of the State as may be required by the law of county superintendents of education.

SEC. 4. Be it further enacted, That each member of said board of education, shall upon entering on the duties of his office subscribe an oath to faithfully discharge all the duties enjoined upon him by law as such officer; such oath may be administered by the mayor of said city.

SEC. 5. Be it further enacted, That said board of education shall have power, with the approval of the board of mayor and aldermen, to build upon the property of the city suitable houses for use and accommodation of the public schools of said school district, or the said board may rent such houses. Said board shall keep said houses in proper repair and shall furnish the same with appropriate furniture

To constitute the city of Tuscaloosa a separate school district, and to provide for the management of the public schools in said school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the city of Tuscaloosa, and that portion of Tuscaloosa county within one mile of the corporate limits of said city, south of the Warrior river, shall constitute a school district, separate and apart from the other school districts in the county of Tuscaloosa, and the inhabitants of said city are hereby incorporated by the name of "The School District of the City of Tuscaloosa."

SEC. 2. Be it further enacted, That the city of Tuscaloosa, as such separate school district, shall receive the proportionate share of the public school fund coming to the county of Tuscaloosa, including a pro rata share of the sixteenth section fund of each township that lies partly within the school district of the city, and shall receive all the taxes collected as poll taxes within such school district, said fund and taxes to be drawn and distributed by such officer as may be appointed for that purpose by the board of education of the school district of the city of Tuscaloosa, in the same manner as county superintendents of education draw and disburse the funds for their respective counties; and the amount thus drawn for the school district of the city of Tuscaloosa shall be used exclusively for the maintenance of public schools in said district, and the city of Tuscaloosa is authorized to increase its school fund by receiving donations, but for the disbursement of all donated funds no charge whatever shall be made, and the mayor and aldermen of the city of Tuscaloosa are hereby authorized to increase the school fund by levying a tax, not to exceed one-fourth of one per cent. on the taxable property of the said

city, which shall be collected as the other taxes of said city. The tax collector of the city of Tuscaloosa shall be authorized and empowered to collect the State and county poll taxes of all the inhabitants of said school district liable to pay said tax in the same manner as is now by law provided for the collection thereof.

SEC. 3. Be it further enacted, That the public schools of the school district of the city of Tuscaloosa, shall be under the charge of a board of education, to consist of the mayor of Tuscaloosa, who shall be ex officio president of said board, and four other persons, residents of said district to be elected by the mayor and aldermen of said city at their regular meeting in the month of July, 1885; the two first elected shall hold their office for the term of one year, and the two last elected shall hold their said office for the term of two years, and at each regular meeting in the month of July of each year, they shall elect two suitable persons to succeed those whose offices have expired so that two of such persons shall be elected annually, and the president of said board shall make reports and furnish statistics and information to the superintendent of education of the State as may be required by the law of county superintendents of education.

SEC. 4. Be it further enacted, That each member of said board of education, shall upon entering on the duties of his office subscribe an oath to faithfully discharge all the duties enjoined upon him by law as such officer; such oath may be administered by the mayor of said city.

SEC. 5. Be it further enacted, That said board of education shall have power, with the approval of the board of mayor and aldermen, to build upon the property of the city suitable houses for use and accommodation of the public schools of said school district, or the said board may rent such houses. Said board shall keep said houses in proper repair and shall furnish the same with appropriate furniture

and apparatus; Provided, that no contract shall be entered into and no disbursement of any moneys or funds, under the provisions of this act shall be made, except by the consent and under the direction and control of the board of mayor and aldermen.

SEC. 6. Be it further enacted, That the said board of education may open a sufficient number of schools to meet the wants of the population of the city of Tuscaloosa; and said board shall elect such officers as are in their opinion necessary to the good government of said schools, and when required such officers shall, before entering upon the duties of their respective offices, take the oath of office prescribed by law for all officers in this State, and shall give bond in such sum as may be fixed by said board of education, and conditioned as all other official bonds; such bond shall be approved by the president of said board of education, and filed with the other official bonds of the city, and a certified copy of the bond of the officer selected to receive the funds of said district shall be filed in the office of the superintendent of education; and shall elect all teachers, fix their compensation and prescribe their duties, control the distribution of teachers and pupils among the several schools, dictate the course of instruction, the number and character of text-books, the organization of classes, and the method of teaching, and shall prescribe rules and regulations for the government of the schools aforesaid. Such board shall have and exercise such other and additional powers as may be necessary to give it complete control of the public schools of said school district. Any of such officers or teachers may be removed for cause, to be determined by said board.

SEC. 7. Be it further enacted, That said board of education may issue diplomas to all persons who satisfactorily complete the course of study prescribed for the public school of said school district.

SEC. 8. Be it further enacted, That the children and wards of all actual residents within the limits of the school district of the city of Tuscaloosa, from seven to nineteen years of age, shall be entitled to seats as pupils in the public schools of said city; Provided, such children shall themselves be bona fide residents of said city, and non-resident children may be admitted into such schools on such terms and conditions as the board of education may prescribe, but separate schools shall be provided for colored children.

SEC. 9. Be it further enacted, That the board of education shall have power to charge in the several grades in said schools such incidental or other fees as they may deem necessary for the proper conduct of said schools.

SEC. 10. Be it further enacted, That all funds devoted to public school purposes in the school district of the city of Tuscaloosa, whether derived from State, county or city, shall be paid into the treasury of said city, where they shall be kept and accounted for separate and distinct from all other funds belonging to said city, and shall be disbursed in such manner as the board of education shall direct.

SEC. 11. Be it further enacted, That the board of education shall have authority to create a board for the examination of applicants for positions as teachers in the public schools of the school district of the city of Tuscaloosa, and no person shall be elected as a teacher in said schools who shall not have received a license from such board.

SEC. 12. Be it further enacted, That the board of education may, in its discretion, institute annual competitive examinations before such persons as the board may select for all applicants for license to teach in the public schools of the school district, including licensed teachers in said schools who are applicants for re-election as teachers.

SEC. 13. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, be and the same are hereby repealed.

Approved February 17th, 1885.

To make Tuscumbia a separate school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the district within the corporate limits of the city of Tuscumbia, Alabama, is hereby created a separate school district from the remaining school districts or parts of school districts in the county of Colbert.

SEC. 2. Be it further enacted, That said separate school district for the city of Tuscumbia shall have and receive its proportionate share of all the school funds of every description including a *pro rata* share of the sixteenth section fund of each township that lies partly within the corporate limits of said city, and all the tax collected as poll tax within the corporate limits of said city, and such poll tax or other school funds to which said school district is entitled shall be paid over by the superintendent of education of the county of Colbert to the trustees of said school district or to the treasurer or other officer appointed or selected by trustees to receive and receipt for the same.

SEC. 3. Be it further enacted, That at the next general election for mayor and councilmen for the city of Tuscumbia, there shall be elected from the qualified voters of said city by the electors thereof, who are qualified to vote at such election, six trustees, two of whom shall hold office for one year, two for two years, and the other two for three years, and at the first meeting of the trustees, or as soon as practicable, such trustees shall draw lots for the term of years they are to serve, which drawing shall be conducted by the mayor of the city, and two trustees shall thereafter be elected annually, and at the first meeting of said board of trustees they shall elect from their number a president, a secretary and a treasurer of said board of trustees, and said treasurer shall give bond in such manner and for such amounts and on such conditions as may be prescribed by said board of trustees.

SEC. 4. Be it further enacted, That for the benefit of schools in said school district the city government of the

city of Tuscumbia shall be and are hereby authorized and empowered to levy and collect a tax within the limits of said school district, not to exceed one-half of one per centum on all the property of every nature, kind or description lying within the limits of said city government, and such tax so collected shall be paid to the treasurer of said school board, which fund shall be used together with any other funds enuring to the benefit of said school district, whether by gift or otherwise, solely for the use and benefit of the public school or schools established by said board of trustees in said school district.

SEC. 5. Be it further enacted, That it shall be the duty of said board of trustees to establish such grades as they deem best for the public interest, allowing separate schools for the two races in said limits, and said board are hereby authorized and empowered to employ teachers and specify and designate the course of studies to be pursued in said school district and to make such rules and regulations as they deem best to the interest of all concerned not inconsistent with the constitution and laws of the State of Alabama, and such board of trustees shall have power to purchase or sell real or personal property, may sue and be sued, plead and be impleaded in relation to all matters growing out of their transactions under the provisions of this act.

SEC. 6. Be it further enacted, That all vacancies that may occur by death or otherwise in said board of trustees shall be filled by a majority vote of the remaining members of said board of trustees until the next regular election.

SEC. 7. Be it further enacted, Provided, that children who live in the township or townships from which said school district may attend the schools within said school district by transferring to said school district their *pro rata* share of the public school funds appropriated to said township and paying in addition thereto an amount *per capita* which shall equal the special tax *per capita* of each pupil within said district.

SEC. 8. Be it further enacted, That said board of trustees may elect a superintendent of public schools for Tus-

cumbia school district and prescribe the duties of such officer.

SEC. 9. Be it further enacted, That such board of trustees shall be styled the board of trustees of the city of Tusculumbia.

SEC. 10. Be it further enacted, That in each school established and paid for by the funds brought together under this act, every grade shall be entirely and unconditionally free for the race and sex for whom it was established.

SEC. 11. Be it further enacted, That all laws and parts of laws inconsistent with the provisions of this act be and the same are hereby repealed.

Approved February 17, 1885.

No. 271.]

AN ACT

[s. 474.

To establish a colored normal school in Greene county, Alabama.

SECTION 1. Be it enacted by the General Assembly of Alabama, That there shall be established in Greene county, in this State, a normal school for the education of colored teachers. Pupils shall be admitted free of charge for tuition in said school on giving an obligation in writing to teach in the public schools of this State for two years after they have become qualified; said school shall not begin nor be continued with a less number than twenty-five pupils, nor shall said school be taught for a less period than nine months in each year.

SEC. 2. Be it further enacted, That there be and is hereby appropriated out of the general colored school fund the sum of two thousand dollars per annum, payable one-half semi-annually, for the maintenance and support of said school, and that the apportionment of the general fund for the colored race shall be made to the different counties of this State after the deduction of said sum of two thou-

said dollars appropriated for said school in Greene county.

SEC. 3. Be it further enacted, That said school be under the control, direction and supervision of a board of three commissioners, appointed by the State superintendent of education, a majority of which commission may fill any vacancy that may occur in said board of commissioners, who shall elect one of their number chairman, who shall report annually to the State superintendent of education how many pupils have been in attendance at said school, what branches have been taught and all other facts of interest and importance appertaining to said school.

SEC. 4. Be it further enacted, That the chairman of said board of commissioners shall give bond in double the amount of said appropriation for the safe keeping and faithful application of the sum appropriated herein; the bond to be approved by the judge of probate of Greene county, State of Alabama, and filed in his office; a certified copy of which shall also be forwarded to the State superintendent of education, and placed on file in his office.

SEC. 5. Be it further enacted, That the chairman of the board of commissioners shall, after the execution, approval and filing of the bond and the certified copy of the same, as provided hereinbefore, present to the State superintendent of education a requisition for the amount herein appropriated, and the superintendent of education shall thereupon certify the amount to the State auditor, who shall draw his warrant for said sum on the State treasurer, payable to the chairman of the board of commissioners, for the support and maintenance of said normal school as hereinbefore provided, and a like requisition shall be presented, and the sums herein appropriated drawn as herein directed as they accrue; Provided, that said sum shall be drawn out of the fund belonging to the colored race, and be used alone for the purpose of educating teachers of the colored race.

Approved February 28, 1887.

No. 320.]

AN ACT

[H. B. 318.]

To amend an act to establish a separate school district, to be known as the Peabody school district, in Russell county, Alabama, and for the appointment of a board of trustees for said school district, with certain powers and privileges.

SECTION 1. Be it enacted by the General Assembly of Alabama, That section 13 of an act entitled an act to establish a separate school district, to be known as the Peabody school district, in Russell county, Alabama, and for the appointment of a board of trustees for said school district, with certain powers and privileges, approved February 10, 1883, be amended so as to read as follows: That said board of trustees may require any person, firm or corporation desiring to engage in the business of retailing spirituous, vinous or malt liquors within said district, before engaging in said business, to annually pay for and take out a license therefor; said license to be issued by the president of the said board of trustees, the amount to be paid for said license not to exceed one thousand dollars nor less than three hundred, and it shall be unlawful for any person, firm or corporation to engage in said business without first having paid to the president of said board the amount required for said license, and any person, firm or corporation violating the provisions of this section shall be guilty of a misdemeanor, and shall be fined not more than three times the amount of said license, and the president of said board shall have jurisdiction to try and punish violations of this section, as in section ten of this act; and the amount received from license under this section shall be appropriated under the direction of the board to educational purposes in said district.

Approved December 9, 1886.

To establish a separate school district, to be known as the
"Clio district in Barbour county."

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as the "Clio district in Barbour county," be and the same is hereby established, and the boundaries of which shall be as follows, to-wit: Selecting Clio as the central point, extending one and a quarter miles north, and one and one-half miles east, and two miles south, and two miles west, which includes the northeast portion of township eight (8), and the southeast portion of township nine (9), in range twenty-four (24), and the southwest portion of township nine (9), and the northwest portion of township eight (8), in range twenty-five (25), in Barbour county.

SEC. 2. Be it further enacted, That the Clio district shall receive its proportionate share of the public school revenue, including a pro rata share of the sixteenth section fund of each township that lies partly within said school district, and shall also receive all of the tax collected as poll tax within the limits of the territory as set forth in the first section of this act.

SEC. 3. Be it further enacted, That the superintendent of education of Barbour county shall appoint the superintendent of said school district, and said school district shall be subject to the law in every particular, not inconsistent with this act governing the public school system in this State.

Approved December 11, 1886.

No. 338.]

AN ACT

H. B. 269.

To erect a separate school district in Coffee county, and to define the boundaries thereof.

SECTION 1. Be it enacted by the General Assembly of Alabama, That all that part of township three, range twenty, east of Titi creek, and that part of township three, range twenty-one, on the west side of Double Bridges creek, down south to the line of Geneva and Coffee, to the township line of Geneva and Coffee, to the township line of three and four between said creeks, all in the county of Coffee, be and the same is hereby formed into a separate school district, to be known as the "Titi District," for which a superintendent shall be appointed as provided by law for other school districts of this State.

SEC. 2. Be it further enacted, That said school district shall be in all respects managed and controlled as a school district, as now provided by law for the school districts of this State.

Approved December 11, 1886.

No. 380.]

AN ACT

[H. B. 76.

To establish a separate school district, to be known as Centre Hill district, in Limestone county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as Centre Hill district, be and the same is hereby established at Centre Hill, in township two, range three, west, Limestone county, the boundary of which shall be as follows, to-wit: Beginning where Limestone creek enters Limestone county in section 12, township two, range three; thence down and with said creek to the southern boundary of said

township, including a part of section twelve, a part of thirteen, fourteen, twenty-three, twenty-six and thirty-five, and all of sections twenty-four, twenty-five and thirty-six; thence east to the county line between Limestone and Madison counties; thence north to the beginning, containing about six square miles.

SEC. 2. Be it further enacted, That the Centre Hill district shall receive its proportionate share of the public school revenue, including a *pro rata* share of the sixteenth section fund of said township, and shall also receive all the tax collected as poll tax within the limits of the territory as set forth in the first section of this act; and the superintendent of education of Limestone county shall set apart from the school revenue of the county, and disburse and use such *pro rata* share exclusively for the maintenance of the public schools in said Centre Hill district.

SEC. 3. Be it further enacted, That the county superintendent of Limestone county shall appoint one superintendent for said district, who shall be governed by the regulation of the school law regulating the duties of superintendents of the township in said county of Limestone.

Approved February 14, 1887.

No. 387.]

AN ACT

[s. 252.

To establish the George N. Gilmer School District in Lowndes County.

SECTION 1. Be it enacted by the General Assembly of Alabama, That all that part of the county of Lowndes in this State embraced in the bounds of the southwest quarter of section 29, the south half of section 30, all of section 31, and the west half of section 32, all in township 13,

range 13; all of section 6, the west half of section 5, the northwest quarter of section 8, and the north half of section 7, all in township 12, range 13; the north half of section 12, and all of section 1, in township 12, range 12; and the south half of section 25, all of section 36, in township 13, range 12, be and the same is hereby constituted a separate school district, to be known as the George N. Gilmer School District.

SEC. 2. Be it further enacted, That said district shall be under the supervision as to its schools of a district superintendent, to be appointed by the county superintendent of education of said county, who shall have the same authority and supervision of said district superintendent as over township superintendents; and the same laws which now or may be enacted as to the powers and duties of township superintendents shall apply to said district superintendents.

SEC. 3. Be it further enacted, That the portion of public school funds due to either one of the said four townships, from which the said George N. Gilmer School District is taken and derived from any source whatever, shall be set apart by the county superintendent of Lowndes county to said school district, in proportion to the number of children within the school age in said township severally to the number of children within the limits of said school district lying within the said townships.

Approved February 14, 1887.

No. 401.]

AN ACT

[H. B. 386.

To establish a separate school district, to be known as the Aimwell school district, in Marengo county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district, embracing sec-

tions seven, eight and nine, west of Hodgins creek, in township thirteen, range two east, and sections four, five, six, thirty-one, thirty-two, thirty-three, in township fourteen, range two east, be established and known as the Aimwell school district, in Marengo county, Alabama, subject to the provisions of the public school laws of the State of Alabama.

SEC. 2. Provided, This act shall not take effect before October first, eighteen hundred and eighty-seven.

Approved February 18, 1887.

No. 411]

AN ACT

[H. B. 717.

To establish a separate school district, to be known as Liberty school district, in Hale county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district to be known as the Liberty school district, be and the same is hereby established, to consist of land known, described as follows: All of section twelve, thirteen, twenty-four and twenty-five, and the east halves of sections eleven, fourteen, twenty-three and twenty-six, in township twenty-two north, of range five east, and all of sections seven, eight, seventeen, eighteen, nineteen, twenty and thirty, and the northwest quarter of section twenty-nine, in township twenty-two north, of range six east, in the county of Hale, be and the same is hereby constituted a school district separate and apart from the remainder of the townships from which the same has been taken, and shall be under the supervision of a district superintendent of public schools, appointed by the county superintendent of education, with power to transact all matters pertaining thereto.

Approved February 21, 1887.

No. 427.]

AN ACT.

[H. B. 513]

To constitute the city of Montgomery a separate school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the city of Montgomery, Alabama, shall constitute a school district separate and apart from the remaining school districts in Montgomery county.

SEC. 2. Be it further enacted, That the city council of Montgomery, and their successors in office, shall constitute a board of trustees for said school district, who shall, as soon as practicable, proceed to establish and control said school district under the regulations hereinafter set forth.

SEC. 3. Be it further enacted, That the said city council shall have the power to buy and lease lands for the purpose of building school houses, taking the deeds and leases to themselves and successors, and also to purchase and erect and furnish school buildings.

SEC. 4. Be it further enacted, That said city council are authorized to establish and locate the number of schools to be taught each year within said school district, and elect teachers for the same, whether for males or females, white or colored, and perform all other duties necessary to the proper regulation and maintenance of such schools.

SEC. 5. Be it further enacted, That the city of Montgomery shall receive its proportionate share of the public school revenue, including a pro rata share of the sixteenth section fund of each township that lies wholly or partly within the corporate limits of said city, and shall also receive all the tax collected as poll taxes within the corporate limits of said city for the use and maintenance of the public schools therein. All funds collected or received by the said city of Mont-

gomery pursuant to this act shall be paid over to the treasurer of said city, and be kept by him separate and apart from all other funds of said city, and shall be paid out only on warrant in favor of the city superintendent of schools drawn by the clerk of said city on a resolution or ordinance of said city council. And said city council is authorized to require of said treasurer a separate bond for the safe keeping of said fund in such sum and with such condition and security as they may prescribe, and payable to said city council and their successors, which bond shall be filed with the city clerk, and shall be renewed from time to time as said city council may direct.

SEC. 6. Be it further enacted, That the said city council may appropriate not exceeding ten per cent of the gross revenues of said city, exclusive of the funds hereinbefore provided for the use and maintenance of such schools, and for the erection, lease, purchase, repair and furnishing of school houses, and for the purchase or lease of lands on which to erect the same.

SEC. 7. Be it further enacted, That said city council shall have power to elect a superintendent of the public schools of said district who shall hold his office for two years. Such superintendent, before entering on the duties of his office, shall take the oath of office prescribed by law for all officers in this State, and shall give bond with security in such sum as may be fixed by said city council, payable to said city council and their successors, and conditioned as all other official bonds. Said bond shall be approved by said city council and filed in the office of the clerk of said city, and a certified copy thereof shall be filed with the State superintendent of education. All funds drawn by the city clerk by direction of said city council as hereinbefore provided shall be received from the city treasurer by such superintendent on such warrants, and disbursed and accounted for by him in like manner as is required of county superintendents.

SEC. 8. Be it further enacted, That said superintendent of public schools for the city of Montgomery may be removed at any time, either by said city council or by the State superintendent of education, and when removed shall be ineligible to re-election during the term for which he was originally elected. All vacancies in the office of superintendent of such schools shall be filled by election by said city council at any regular or any special meeting called for that purpose, and the person so elected shall hold for the unexpired term, and shall qualify and give bond as above required. The said superintendent shall be commissioned by the State superintendent of education, and he shall receive such compensation, to be paid out of the fund provided for in this act, as said city council may fix. Said superintendent shall make full and complete reports to the said city council and to the State superintendent of education, and perform such other duties as are required by law of county superintendents of education, not inconsistent with this act, and also such other duties as said city council may require, not inconsistent with this act and the general laws of the State.

Approved February 22, 1887.

No. 430.]

AN ACT

[H. B. 652.

To provide an office and increased salary for the county superintendent of Jefferson county, and to further define his duties.

SECTION 1. Be it enacted by the General Assembly of Alabama, That it shall be the duty of the commissioners court of Jefferson county to provide an office, and to furnish said office for the county superintendent of Jefferson, suitable for holding meetings of the teachers of the public schools

of the county, and for performing his duties as prescribed by law, at the court house or at some convenient point in the city of Birmingham.

SEC. 2. The county superintendent of Jefferson shall be paid out of the treasury of the county, out of any funds not otherwise appropriated, sixty-five dollars per month, in addition to what he receives by salary from the State, and commissions on disbursement of public funds to teachers.

SEC. 3. The county superintendent of Jefferson, in addition to his other duties, now provided by the general school law, shall visit each and every public school in said county at least once during the school year, and as often as may be necessary for the instruction of teachers, township superintendents, and the encouragement of patrons, in the best method of teaching and the building up and improvement of the public schools in the county; Provided that none but a practical, experienced teacher and educator shall be eligible to the office of county superintendent of Jefferson county; And provided further, that said superintendent shall devote his time expressly to the interest of public schools in his county.

Approved February 22, 1887.

No. 436.]

AN ACT

[H. B. 734.

To constitute township seventeen, range six, east, in Perry county, a separate school district, and to provide for the management of the public schools in said school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the city of Uniontown and that portion of Perry county situated in township seventeen, range six, east, shall constitute a school district, separate and apart from the other school districts in the county of Perry, and the

inhabitants of said township are hereby incorporated by the name of "the School District of the city of Uniontown."

SEC. 2. Be it further enacted, That the city of Uniontown, as such separate school district, shall receive the proportionate share of the public school fund coming to the county of Perry, including the sixteenth section fund of said township, and shall receive all the taxes collected as poll taxes within such school district; said fund and taxes to be drawn and distributed by such officer as may be appointed for that purpose by the board of education of the school district of the city of Uniontown in the same manner as county superintendents draw and disburse the funds of their respective counties, and the amount thus drawn for the school district of the city of Uniontown, shall be used exclusively for the maintenance of public schools in said district, and the city of Uniontown is authorized to increase its school fund by receiving donations, but for the disbursement of donated funds no charge whatever shall be made, and the mayor and aldermen of the city of Uniontown are hereby authorized to increase the school fund by levying a tax, not to exceed one-half of one per cent. on the taxable property of said district, which shall be collected as the other taxes of said district. The tax collector of the county of Perry shall continue to collect the poll taxes of all the inhabitants of said school district liable to pay said tax in the same manner as is now provided by law for the collection thereof, and shall pay the same over to the treasurer of the board of education of said school district.

SEC. 3. Be it further enacted, That the public schools of the school district of the city of Uniontown, shall be under the charge of a board of education, to consist of the mayor of Uniontown, who shall be *ex-officio* president of said board, and four other persons residents of said district, to be elected by the mayor and aldermen of said city at

their regular meeting in July, 1887. The two first elected shall hold office for the term of one year, and the two last elected shall hold office for the term of two years, and at each regular meeting in the month of July of each year, they shall elect two suitable persons to succeed those whose terms have expired, so that two of such persons shall be elected annually, and the president of said board shall make reports and furnish statistics and information to the superintendent of education of the State, as may be required by law of county superintendents of education.

SEC. 4. Be it further enacted, That each member of said board of education shall, upon entering on the duties of his office, subscribe an oath to faithfully discharge all the duties enjoined upon him by law as such officer. Such oath may be administered by the mayor of said city.

SEC. 5. Be it further enacted, That said board of education shall have power, with the approval of the mayor and aldermen, to build upon the property of the city suitable houses for the use and accommodation of the public schools of said district, or the said board may rent such houses. Said board shall keep said houses in repair, and shall furnish the same with appropriate furniture and apparatus; *Provided*, that no contract shall be entered into, and no disbursement of any moneys or funds under the provision of this act shall be made, except by the consent and under the direction of the board of mayor and aldermen.

SEC. 6. Be it further enacted, That the said board of education may open a sufficient number of schools to meet the wants of the population of said district; and said board shall elect such officers as are, in their opinion, necessary to the good government of said schools, and when required such officers shall, before entering upon the duties of their respective offices, taking the oath of office prescribed by law for all officers in this State, and shall give bond in such

sum as may be fixed by said board of education, and conditioned as all other official bonds; said bond shall be approved by the president of said board of education and filed with the other official bonds of the city, and a certified copy of the bond of the officer selected to receive the funds of said district shall be filed in the office of superintendent of education; and shall elect all teachers, fix their compensation and prescribe their duties, control the distribution of teachers and pupils among the several schools, dictate the course of instruction, the number and character of textbooks, the organization of classes and the method of teaching, and shall prescribe rules and regulations for the government of the schools aforesaid. Such board shall have and exercise such other and additional powers as may be necessary to give it complete control of the public schools of said school district. Any of such officers or teachers may be removed for cause, to be determined by said board.

SEC. 7. Be it further enacted, That the said board of education may issue diplomas to all persons who satisfactorily complete the course of study prescribed for the public schools of said district.

SEC. 8. Be it further enacted, That the children and wards of all actual residents within the limits of the school district of the city of Uniontown, from seven to twenty-one years of age, shall be entitled to seats as pupils in the public schools of Uniontown; *Provided*, such children shall themselves be *bono fide* residents of said district, and non-resident children may be admitted into such schools on such terms and conditions as the board of education may prescribe, but separate schools shall be provided for colored children.

SEC. 9. Be it further enacted, That the board of education shall have the power to charge in the several grades in said schools such incidental or other fees as they may deem necessary for the proper conduct of said schools.

SEC. 10. Be it further enacted, That all funds devoted to public school purposes in the school district of the city of Uniontown, whether derived from State, county or city, shall be paid over to the treasurer of said board of education, and shall be disbursed in such manner as the board of education shall direct.

SEC. 11. Be it further enacted, That the board of education shall have authority to create a board for the examination of applicants for positions as teachers in the public schools of the school district of the city of Uniontown, and no person shall be elected as a teacher in said schools who shall not have received a license from such board.

SEC. 12. Be it further enacted, That the board of education may, in its discretion, institute annual competitive examinations before such persons as the board may select for all applicants for license to teach in the public schools of the school district, including licensed teachers in said schools who are applicants for re-election as teachers.

SEC. 13. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, be and the same are hereby repealed.

Approved February 22, 1887.

No. 442.]

AN ACT

[s. 208.

To constitute the district of Opelika a separate school district, and to provide a board of education thereof.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the district of Opelika shall constitute a school district separate and apart from the remaining school districts or townships of the county of Lee.

SEC. 2. Be it further enacted, That the public schools of the district of Opelika shall be under the control and management of a board of education, to consist of seven persons, to be appointed by the State superintendent of education and continue in office two years, or until their successors shall be appointed and qualified; said term of office beginning on the first Tuesday in March, 1887, and every two years thereafter.

SEC. 3. Be it further enacted, That each member of said board of education shall, upon his induction into office, subscribe an oath or affirmation faithfully to discharge all the duties imposed on him as a member of said board.

SEC. 4. Be it further enacted, That for good cause, any member of said board may be removed by the state superintendent of education, and all vacancies in said board arising from removal, death, resignation or otherwise, shall be filled by the State superintendent of education for the unexpired term.

SEC. 5. Be it further enacted, That said board of education shall elect one of their number to be president, and one to be secretary and treasurer, who shall hold their offices during the pleasure of the board; a majority of said board shall constitute a quorum to transact business.

SEC. 6. Be it further enacted, That the president shall be chief executive officer of the board, and shall preside at its meetings; he shall be ex officio district superintendent of education, and shall, within the district of Opelika, perform all the duties required of county superintendents, except as hereinafter provided. In case of his absence or inability to act, the board may name a temporary vice-president, who shall during such absence or inability to act, have the powers of the president.

SEC. 7. Be it further enacted, That the secretary and treasurer of the board shall keep a true and faithful record of its proceedings; shall preserve the books of said board

and file of its papers and documents, all of which shall be open to public inspection; and he shall also perform such other duties as may be required of him by said board; he shall receive such compensation as the board of education may allow.

SEC. 8. Be it further enacted, That all funds devoted to public school purposes in the district of Opelika, whether derived from State, county or district, shall be paid directly to the secretary and treasurer of said board of education, in the same manner as State and county funds are paid to county superintendents of education, and shall be dispensed in such manner as the board of education may direct, and only upon the warrant of the board, signed by the president thereof. For the faithful performance of all his duties, said secretary and treasurer shall give bond, with good and sufficient security, in such sum as the board of education may fix, not less than double the amount likely to be in his hands at any one time; said bond to be approved by the judge of probate of Lee county, and filed in his office; a certified copy of which to be sent to the State superintendent of education.

SEC. 9. Be it further enacted, That the secretary and treasurer shall make monthly reports to the board of education, showing the amount of money received and paid out during the month, the vouchers for the same, the amount of cash on hand, the liabilities of said board, and such other information as may be required by the board.

SEC. 10. Be it further enacted, That the said board of education shall have power to establish such public schools for the white race, and such public schools for the colored race as the means and wants of the population of said school district may justify; may elect a superintendent of said schools, the principal thereof, and all teachers, and remove the same for good cause; fix their compensation, and pre-

scribe their duties; control the distribution of teachers and pupils among the several schools; dictate the course of instruction, the number and character of text books, the organization of classes or grades, the method of teaching; and shall prescribe rules and regulations for the government of the schools; said board shall have and exercise such other and additional powers as may be necessary to give it complete control of the public schools of said districts and shall perform all the duties imposed on township superintendents in the State.

SEC. 11. Be it further enacted, That the plan of instruction, kind of text books and the rules and regulations adopted by said board for the government of said public schools, shall be adhered to, unless altered by a vote of two-thirds of said board.

SEC. 12. Be it further enacted, That said board of education may issue diplomas to all persons who satisfactorily complete the course of study prescribed for the public high schools of said district.

SEC. 13. Be it further enacted, That all bona fide residents within the corporate limits of the district of Opelika, from seven to twenty-one years of age, shall be entitled to seats as pupils in the public schools of said district; Provided, non-residents may be admitted into such schools on such terms and conditions as the board of education may prescribe.

SEC. 14. Be it further enacted, That the board of education shall have authority to create a board for the examination of applicants for positions as teachers in the public schools of the district of Opelika, and no person shall be elected as a teacher in such schools who shall not have received a license from such board; Provided, said board is authorized to carry out any contract with teachers existing at the time of the approval of this act, if they see proper.

SEC. 15. Be it further enacted, That the board of education may, in its discretion, institute, before such persons as the board may select, annual competitive examinations of applicants for positions as teachers in the public schools of said district, including licensed teachers in said school who are applicants for re-election as teachers.

SEC. 16. Be it further enacted, That said board of education shall control, manage, and disburse all revenues which may be raised by special tax or otherwise for the maintenance of the public schools in the district of Opelika, under such rules and regulations as the board may prescribe; Provided, that where donations or contributions are made to the public schools of the district of Opelika, or to any one of them, the board shall apply the donations or contributions in the manner indicated by the party or parties contributing.

SEC. 17. Be it further enacted, That said board of education shall have power to buy lands for purpose of erecting school buildings thereon or to provide suitable school buildings by rent or purchase, and all necessary furniture, equipments and apparatus; the title of said property to be vested in said board of education and their successors in office.

SEC. 18. Be it further enacted, That said board of education shall have power to charge in the several grades of the public schools of the district of Opelika such incidental or other fees as may be deemed necessary for the proper conduct of said schools.

SEC. 19. Be it further enacted, That there is hereby authorized the power to levy and collect a tax on all real and personal property taxable by the laws of the State of Alabama, and within the bounds of said school district, not to exceed one-half of one per cent. for school purposes; the amount collected from the white race shall go to the support of the white schools, and the amount collected from the colored race shall go to the support of the colored

schools established in said school district; but this section of this act shall not become operative until the board aforesaid shall cause an election to be held in the district of Opelika for the purpose of ascertaining the will of the qualified voters of said district as to the propriety of levying said tax. To this end, the Opelika police board or their successors in office, when so requested by said board of education, shall call an election by posting written or printed notices in three public places within said district, and by publication in some newspaper of the district of Opelika, stating the time and place said election will be held; said notices to be posted and published at least ten days before the day set for said election. Those voting in favor of levying said tax shall have printed or written on their ballots, "For School Tax," and those opposed shall have printed or written on their ballots, "Against School Tax." The Opelika police board or their successors in office shall appoint three qualified electors to manage and conduct said election, and the managers so appointed shall provide two boxes into which the votes shall be deposited; the votes of the white race in one box and the votes of the colored race in the other box, keeping the votes of the two races separate and distinct. Said managers shall make return of said election to the Opelika police board, or their successors in office, who shall count the vote of each race separately and declare the result.

SEC. 20. Be it further enacted, That in case the qualified electors of either race shall vote in favor of levying a tax for school purposes as provided in the preceding section of this act, the board of education shall, before the first Wednesday in April in each year, file with the Opelika police board or their successors in office, a statement of the per cent. of school tax to be levied, and for what race or races and the Opelika police board or their successors in office, shall proceed to levy and collect said tax as other municipal

taxes are levied and collected, keeping the taxes of the two races separate and distinct from each other; and the Opelika police board, or their successors in office, by their collecting officers, shall turn over on the last day of each month to the secretary and treasurer of the board of education the amount of said school tax collected for each race during the month, taking duplicate receipts therefor; one to be retained by himself and one to be given to the president of the board of education.

SEC. 21. Be it further enacted, That in case the Opelika police board, or their successors in office, shall fail to collect said school tax, as provided for in the preceding section, then the board of education shall proceed to levy and collect the same with the same powers, pains and penalties as are allowed the municipal authorities of the district of Opelika in the collection of municipal taxes.

SEC. 22. Be it further enacted, That the district of Opelika, as a separate school district, shall receive its proportionate share of the school fund apportioned to Lee county, including a pro rata share of the sixteenth section fund of each township that lies partly within the corporate limits of said district of Opelika, and all the poll tax collected in corporate limits of said district, and all other funds set apart by the State for school purposes; Provided, that not more than four per cent of said fund derived from the State shall be used otherwise than for the payment of teachers employed in the public schools of the district of Opelika.

SEC. 23. Be it further enacted, That sections 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, of the Code of Alabama, and an act to amend sections 1206, 1211 of the Code, and all laws in conflict with the provisions of this act, be and the same are hereby repealed.

Approved February 22, 1887.

No. 457.]

AN ACT

[H. B. 647.]

To establish a separate school district in Dale county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the following described and bounded district in Dale county be established, to-wit: On the north by the Barbour county line, on the west by Big Judah creek, on the south by the line dividing townships six and seven, and on the east by Little Judah creek, be and the same is hereby created and constituted a public school district, and shall be entitled to all the immunities, benefits and privileges, as provided by law for public schools in Dale county, and shall be known as the "Pippin District."

SEC. 2. Be it further enacted, That the county superintendent of education of Dale county be and is required to appoint in and for "Pippin District," in the same manner as are appointed in the townships and districts, a district superintendent, who shall be authorized to discharge all duties required by law of township or district superintendents in said county.

Approved February 24, 1887.

No. 459.]

AN ACT

[H. B. 761]

To establish a separate school district at Union Springs Bullock county, Alabama, and its boundaries.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as the "Union Springs District" is hereby established at Union Springs, in the county of Bullock, the boundary of which shall be two miles each way from the court house, and the

general law regulating the public schools of the State shall apply to such school district, except as hereinafter provided.

SEC. 2. The town of Union Springs, as a separate school, district, shall receive its proportionate share of the school revenues apportioned to the county of Bullock, including a *pro rata* share of the sixteenth section fund, of each township that lies partly within the boundary lines of the separate school district, and all the poll tax collected within its limits, and the county superintendent of education of Bullock county shall keep the moneys separate and apart from the other school revenues of the county of Bullock, to be used exclusively for the payment of teachers in the public schools of the town of Union Springs.

SEC. 3. Be it further enacted, That the provisions of this act shall take effect on and after October 1, 1887.

SEC. 4. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, be and the same are hereby repealed.

Approved February 24, 1897.

No. 462.]

AN ACT

[H. B. 573.]

To repeal section 2 of an act entitled an act to provide for the election of the county superintendent of education, and township trustees of public schools, by a vote of the people in the counties of Lamar, Cherokee, Madison, Jackson, Colbert, Franklin, Blount, Lawrence, Marion, Cullman, DeKalb, Walker, Crenshaw, Fayette, Winston, Tallapoosa, Etowah and Dale, and for the election of superintendent of education in Dale county, approved February 23, 1883, so far as the same relates to Lamar and Marion counties, and to authorize the county superintendent of education to appoint township trustees.

SECTION 1. Be it enacted by the General Assembly of Alabama, That section 2 of an act, approved February 23, 1883, entitled "an act to provide for the election of the county superintendent of education, and township trustees of public schools, by a vote of the people in the counties of Lamar, Cherokee, Madison, Jackson, Colbert, Franklin, Blount, Lawrence, Marion, Cullman, DeKalb, Walker, Crenshaw, Fayette, Winston, Tallapoosa, Etowah and Dale, and for the election of superintendent of education in Dale county," be and the same is hereby repealed, so far as the said section 2 relates to Lamar and Marion counties.

SEC. 2. Be it further enacted, Township trustees who have been elected in Lamar county under section 2 of said act, shall hold their respective offices the term for which they were elected, and that after the first Monday in August, 1887, and every two years thereafter, a township superintendent for each township or other school district in Lamar county, shall be appointed by the county superintendent of education, subject to the approval of the superintendent of education, and said township superintendents shall hold their

offices for the term of two years, and until their successors are appointed and qualified, and none but a freeholder or householder, resident in the township, shall be eligible to said office. The said township superintendents shall have supervision of the public schools in their respective townships, and they shall have the same powers, and shall perform the same duties as are conferred upon and required of township superintendents of education under an act approved February 7, 1879, entitled an act to organize and regulate a system of public instruction for the State of Alabama, and they shall do and perform all the duties required by law to be done and performed by any officer in relation to public schools in their respective townships.

Approved February 25, 1887.

No. 481.]

AN ACT

[H. B. 899.]

To create a separate school district in DeKalb county, Alabama, known as the Valley Head school district.

SECTION 1, Be it enacted by the General Assembly of Alabama, That a separate school district is hereby created, composed of the east half of section 25, and section 36 of township 5, and sections 1 and 12 of township 6, of range 9, and sections 29, 30, 31 and 32, township 5, and section 6, township 6, range 10, east, in DeKalb county, Alabama.

SEC. 2. Be it further enacted, That all the public school laws now in force in this State in reference to conducting schools and distributing the public school funds, shall apply to said school district; *Provided*, this act shall not take effect until October 1st, 1887.

Approved February 26, 1887.

To constitute the city of Talladega as a separate school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the city of Talladega, Talladega county, shall constitute a school district separate and apart from the other school districts in said county, and the inhabitants of said city are hereby incorporated by the name of "The School District of Talladega."

SEC. 2. Be it further enacted, That the city of Talladega, as such school district, shall receive its proportionate share of the public school revenue, including a *pro rata* share of the 16th section funds of such townships that lie partly within the corporate limits of the city of Talladega, and shall receive all the taxes collected as poll tax within the limits of said corporation, and the superintendent of education of Talladega county shall set apart from the public school revenues of the county, and disburse and use such *pro rata* share exclusively for the maintenance of the public schools in the city of Talladega.

SEC. 3. Be it further enacted, That the county superintendent of education of Talladega county shall co-operate with the board of trustees of the school district of Talladega in keeping up the schools, both white and colored, in said district.

SEC. 4. Be it further enacted, That the mayor and aldermen of the city of Talladega shall constitute a board of trustees for the school district, and the board of trustees are authorized to establish and locate the number of schools to be taught each year, either for males or females, white or colored, and perform all other duties imposed on other township trustees or superintendents in this State.

SEC. 5. Be it further enacted, That the trustees and their successors in office, shall have the power to levy a tax on all property, both real and personal, within the bounds of such school district, not to exceed one-half of one per centum for school purposes.

SEC. 6. Be it further enacted, That the board of trustees, as constituted in this act, shall control, manage and disburse all moneys which may be raised by special tax or otherwise, for the maintenance of the public schools within the limits of the city of Talladega, and under such rules and regulations as the board of trustees may prescribe; *Provided*, that when donations or contributions are made to a school in the district or to said school district, the board of trustees shall apply the donations or contributions in the manner indicated by the party or parties contributing.

SEC. 7. Be it further enacted, That the trustees shall have power to buy lands for the purpose of building school houses, which lands shall be deeded to themselves and successors in office, as trustees of said school district. They shall also have the power to build suitable school houses, buy furniture for the same, and employ teachers.

SEC. 8. Be it further enacted, That the trustees of said school district shall make their reports as now required of township superintendents, to the county superintendent. They shall have power to receive any scholars not living within the limits of the district, on such terms as may be agreed upon. They shall also have the power to grade their schools.

SEC. 9. Be it further enacted, That the board of trustees shall appoint a treasurer, who shall take charge of the money belonging to the district, and shall give such bond as the board may direct, and shall pay out the same upon the order of the board through the mayor.

Approved February 28, 1887.

No. 497.]

AN ACT

[H. B. 957]

To create a separate school district in Cullman county, Alabama, and define the boundaries of the same.

SECTION 1. Be enacted by the General Assembly of Alabama, That a separate school district be and the same is hereby established, as hereinafter provided, in the county of Cullman, and State of Alabama, which district shall be composed and consist of all that territory included in the following described territory, viz: Beginning at Duck or Donaldson creek, one-half mile south of the township line, between townships eight and nine, thence west on a straight line through the middle of sections one and two, to the Brindley or twelve mile creek, near the west side of said section two, T. 9, R. 2, west, thence south down said creek to the section line between sections thirteen and fourteen, thence south along said line to the Middle of section twenty-four, thence east through the middle of said section twenty-four to the range line, between ranges one and two, west, thence north along said range line to the middle of section eighteen (18), township nine (9), of range one (1), thence east through the middle of said section to the line between sections seventeen and eighteen, township nine (9), of range one (1), west, thence north along said section line to Duck creek, thence north along said Duck or Donalson creek to the place of beginning.

SEC. 2. Be it further enacted by the General Assembly of Alabama, That W. C. Clayton, who lives on the N. E. $\frac{1}{4}$ of section ten (10), township nine (9), of range two (2), west, shall be included in the district herein established, and also Harrison Cook, who lives in the northeast quarter of northwest quarter of section eleven (11), T. 9, R. 2, west.

SEC. 3. Be it further enacted, That to carry out the purposes of this act, I. C. Oaks, John A. Donalson and David Garret are hereby constituted and appointed a board of

trustees of said school district, who shall have power to purchase, receive, hold and convey, for and in behalf of said school district, all such real and personal property as may be necessary or proper for the purposes of said school district, and who shall control the disposition of all funds which may be received, by or for said school district. They shall also have power to build suitable school houses and furnish the same.

SEC. 4. Be it further enacted, That as soon as practicable after the passage of this act, the said persons hereinbefore named, or a majority thereof, shall proceed to organize said board of trustees by electing one of their number president of the board, and by electing some suitable person, whether member of the board or not, as secretary of the board, and treasurer of the school district; *Provided, however*, that the secretary of the board and treasurer of the district may be one and the same person, if the board shall so elect.

SEC. 5. Be it further enacted, That the term of service of the persons hereinbefore named as trustees, shall be from the approval of this act until the expiration of two years or until their successors are elected and qualified, and their successors and all subsequent boards of trustees shall consist of three persons, who shall be elected by the qualified voters in said district, at such time and in such manner as said board shall direct; *Provided*, said election is held without any expense to the county or the fund of said school district.

SEC. 6. Be it further enacted, That the term of service of said secretary and treasurer shall be for two years from the date of their election, but they may be removed by said board of trustees at any time. The board shall require of the treasurer a bond in such amount as may be fixed by them, in no case to be less than double the amount of funds that will be in his custody at any one time, payable to the said school district, which shall be known as the Duck Creek School District, and conditioned to safely keep and to dis-

burse, according to law, all money which may come into his hands as treasurer of said school district, and to be approved by the president of said school district and filed with him. The said treasurer shall receive such compensation as shall be fixed by said board, not to exceed the sum of two per cent. of all money disbursed by him.

SEC. 7. Be it further enacted, That said board shall have power to make such rules and regulations as they deem best for the best interest of education in said district, and not in conflict with the laws of Alabama, and may take such measures as may be proper to establish such schools in said district, as may be necessary for the accommodation of the youth of said district, and make such contracts with teachers as may be necessary to carry out the provisions of this act, and provide for the better education of the youth of said district.

SEC. 8. Be it further enacted, That the said school district shall be entitled to receive its proportionate share of all funds raised or appropriated by the State for public schools, and shall also receive its proportionate share of the sixteenth section fund accruing to the township of which said school district is composed; and it shall receive all poll tax which may be collected from residents of said school district, and all funds which may be donated to said school district. All funds for said school district shall be paid to the treasurer of the district, who shall receipt for the same, and the State superintendent of education of the State or other proper State officer, shall give the necessary orders and instructions, and issue the necessary warrants or certificates to secure the payment to said school district, all funds to which it may be entitled, from the State or from poll tax, direct to the treasurer of said school district.

Approved February 28, 1887.

No. 506.]

AN ACT

[H. B. 477.]

To constitute the two fractions of township five, range one and two, west, and a portion of township six, range two, west, in Morgan county, Alabama, a school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the two fractional parts of township five, range one and two, west, and all that portion of township six, range two, west, described as follows, to-wit: All that part of township six, range two, west, lying east of Cotaco creek, from the line separating (east and west) townships five and six, to section line dividing sections twelve and thirteen in township six, in Morgan county, Alabama, be and the same are hereby declared a school district, subject to the general laws of Alabama as to school districts.

Approved February 28, 1887.

No. 507.]

AN ACT

[H. B. 831.]

To provide suitable compensation for the superintendent of education of the county of Lowndes.

SECTION 1. Be it enacted by the General Assembly of Alabama, That from and after the passage of this act, the superintendent of education of Lowndes county shall receive for his official services in discharge of the duties of said office the sum of one hundred dollars a year, and two and one-half per centum on the amount of money disbursed by him as such superintendent, to be paid out of the school fund apportioned to said county.

Approved February 28, 1887.

No. 509.]

AN ACT

[H. B. 854.]

To provide for the appointment of one township trustee of public schools, for each township in DeKalb and St. Clair counties, by the county superintendent of education of said counties.

SECTION 1. Be it enacted by the General Assembly of Alabama, That one township trustee of public shools for each township in DeKalb and St. Clair counties shall be appointed by the county superintendent of education of said counties, subject, when appointed, to the approval of the State superintendent of education, whose terms of office shall commence at the expiration of the terms of the township superintendents in said county now serving, and shall continue for the term of two years, and until their successors are appointed and qualified, as now provided by law as to township superintendents; and none but a freeholder or householder resident in the township shall be eligible to said office of township trustee.

SEC. 2. Be it further enacted, That said township trustees, when appointed, shall perform the same duties in all respects as now required by law of township superintendents of education in this State, and shall act under the same provisions and regulations as said township superintendents do under the general statutes now in force in this State, and shall be entitled to the same exemptions from jury duty, road duty and poll tax, as said township superintendents now are; and that said township trustees shall, in all respects, be governed, controlled and regulated by the general statutes now governing, controlling and regulating said township superintendents.

SEC. 3. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, be, and the same are hereby repealed.

Approved February 28, 1885.

No. 527.]

AN ACT

[s. 303.]

To constitute the city of Greenville a separate school district, and to provide for the management of the public schools of said district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the city of Greenville is hereby incorporated by the name of the School District of the city of Greenville.

SEC. 2. That the city of Greenville, as such separate school district, shall receive the proportionate share of the public school fund coming to the county of Butler, including a *pro rata* share of the sixteenth section fund of each township that lies partly within the school district of the city, and shall receive all the taxes collected as poll taxes within such school district, said fund and taxes to be drawn and distributed by such officer as may be appointed for that purpose by the board of education of the school district of the city of Greenville, in the same manner as county superintendents of education draw and disburse the funds for their respective counties, and the amount thus drawn for the school district of the city of Greenville shall be used exclusively for the maintenance of public schools in said district, and the city of Greenville is authorized to increase its school fund by receiving donations; but for the disbursement of all donated funds no charge whatever shall be made; and the mayor and councilmen of the city of Greenville are hereby authorized to increase the school fund by levying a tax, not to exceed one-fourth of one per cent. on the taxable property of the said city, which shall be collected as the other taxes of the said city. The tax collector of the city of Greenville shall be authorized and empowered to collect the State and county poll taxes of all the inhabitants of said school district, liable to pay said tax, in the same manner as is now by law provided for the collection thereof.

SEC. 3. That the public schools of the school district of the city of Greenville shall be under the charge of a board of education, to consist of the mayor of Greenville, who shall be *ex-officio* president of said board, and four other persons, residents of said district, to be elected by the mayor and aldermen of said city, at their regular meeting in the month of July, 1888; the two first elected shall hold their office for the term of one year, and the two last elected shall hold their said offices for the term of two years, and at each regular meeting in the month of July of each year they shall elect two suitable persons to succeed those whose offices have expired, so that two of such persons shall be elected annually, and the president of said board shall make reports, and furnish statistics and information to the superintendent of education of the State, as may be required by law of county superintendent of education.

SEC. 4. That each member of said board of education shall, upon entering upon the duties of his office, subscribe an oath to faithfully perform all the duties enjoined upon him by law as such officer; such oath may be administered by the mayor of said city.

SEC. 5. That said board of education shall have power with the approval of the board of mayor and councilmen, to build upon the property owned or to be hereafter purchased by the city, suitable houses for the use and accommodation of the public schools of said school district, or the said board may rent such houses; said board shall keep said houses so built in proper repair, and shall furnish the houses used for school purposes with appropriate furniture and apparatus. No contract shall be entered into, and no disbursement of any moneys or funds under the provisions of this act, shall be made except by the consent and under the direction and control of the board of mayor and councilmen.

SEC. 6. That the said board of education may open a sufficient number of schools to meet the wants of the population of the city of Greenville and this school district; and said board shall elect such officers as are in their opinion neces-

sary to the good government of said schools, and when required, such officers shall, before entering upon the duties of their respective offices, take the oath of office prescribed by law for all officers in this State, and shall give bond, in such sum as may be fixed by said board of education, and conditioned as all other official bonds; such bond shall be approved by the president of said board of education, and filed with the other official bonds of the city, and a certified copy of the bond of the officer selected to receive the bonds of said district shall be filed in the office of the superintendent of education; and shall elect all teachers, fix their compensation and prescribe their duties, control the distribution of teachers and pupils among the several schools, dictate the course of instruction, the number and character of text books, the organization of classes and the method of teaching; and shall prescribe rules and regulations for the government of the schools aforesaid; such board shall have and exercise such other and additional powers as may be necessary to give it complete control of the public schools of said school district; any of such officers or teachers may be removed for cause, to be determined by said board.

SEC. 7. That said board of education may issue diplomas to all persons who satisfactorily complete the course of study prescribed for the public schools of said school district.

SEC. 8. That the children and wards of all actual residents within the limits of the school district of the city of Greenville, from seven to twenty-one years of age, shall be entitled to seats as pupils in the public schools of said city; such children shall themselves be *bona fide* residents of said school districts, and non-resident children may be admitted into such schools on such terms and conditions as the board of education may prescribe, but separate schools shall be provided for colored children.

SEC. 9. That the board of education shall have power to charge in the several grades in said schools such incidental

or other fees as they may deem necessary for the proper conduct of said schools.

SEC. 10. That all funds devoted to public school purposes in the school district of the city of Greenville, whether derived from State, county or city, shall be paid into the treasury of said city, where they shall be kept and accounted for, separate and distinct from all other funds belonging to said city, and shall be disbursed in such manner as the board of education shall direct.

SEC. 11. That the board of education shall have authority to create a board for the examination of applicants for positions as teachers in the public schools of the school district of the city of Greenville, and no person shall be elected as a teacher in said schools who shall not have received a license from such board.

SEC. 12. That the board of education may, in its discretion, institute annual competitive examinations before such persons as the board may select, for all applicants for license to teach in the public schools of the school district, including licensed teachers in said schools, who are applicants for re-election as teachers.

Approved February 28, 1887.

No. 538.]

AN ACT

[s. 364.

To form a new school district embracing parts of township eleven (11) and twelve (12), in Cherokee county, Alabama, to be known as the Burnett school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a school district separate and apart from the other school districts and townships of Cherokee county, be and the same is hereby created out of parts of townships eleven (11) and twelve (12), to be embraced in the following boundaries, to-wit: Beginning where the Shaver branch empties into Terrapin creek, thence up said branch one-

fourth of a mile, thence due west three-fourths of a mile, thence south to a place known as the Jesse Johnson place, thence to Terrapin creek, at the brick mill, including William H. Craig, thence down said creek to the beginning.

SEC. 2. Be it further enacted, That the said separate school district shall receive its proportionate share of the public school revenues of said township, including a *pro rata* share of the sixteenth section fund, and shall also receive all the tax collected as poll tax within the limits of the territory as set forth in section one of this act, and the superintendent of education of Cherokee county shall set apart from the school fund of said county, and disburse, and use such *pro rata* share exclusively for the maintenance of the public schools of said separate school district.

SEC. 3. Be it further enacted, That at the next election for superintendent of education and school trustees, there shall be elected three trustees for said district; all persons allowed to vote as in elections now held for the election of other school officers of said county.

SEC. 4. Be it further enacted, That this act shall take effect on and after the election and qualification of such trustees.

Approved February 28, 1887.

No. 540.]

AN ACT

[H. B. 912.

To establish the Blocton public school district, in Bibb county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the following described district in Bibb county, viz: Sections seventeen (17), eighteen (18), nineteen (19), twenty (20), and fractional sections twenty-nine (29) and thirty (30), in township twenty-two (22), range five (5), and sections thirteen (13) and twenty-four (24), and frac-

tional section twenty-five (25) in township twenty-two (22), range six (6), be and the same is hereby constituted a separate public school district, and it shall be known as the "Blocton school district."

SEC. 2. Be it further enacted, That the said separate school district shall be under the supervision of a superintendent, to be appointed by the county superintendent of education, as other township superintendents are appointed, with the same powers, duties and rights as other township superintendents have and exercise.

Approved February 28, 1887.

No. 154.)

AN ACT.

(H. B. 5.

An act to form a separate school district to be known as Salitpa school district in Clarke county.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district in Clarke county, be and is hereby created out of parts of townships eight, range one, west; township eight, range one, east; township seven, range one, west; township seven, range one, east; as embraced in the following boundaries: Beginning where Jackson creek empties into the Tombigbee river, thence up said creek to Taltillaba creek, thence up Taltillaba creek to centre line of the sixteenth section of township eight, range one, east, thence west along said line to Cantouchee creek, thence down said creek to the Tombigbee river, thence down said river to Jackson creek, the point of starting.

Sec. 2. Be it further enacted, That the county superintendent of education of Clarke county, shall appoint a superintendent for said Salitpa school district and that said district shall receive its pro rata of all public school revenues, and

shall be managed and controlled as prescribed by law for other school districts in said county.

Sec. 3. That the provisions of this act shall take effect January 1, 1889.

Approved December 4, 1888.

No. 155.)

AN ACT

(H. B. 100.)

To create a separate school district in Blount county, Alabama, known as the Blount Springs district.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district is hereby created, composed of parts of township twelve (12), range (2) west, township twelve (12) range three (3) west, township thirteen (13), range two (2), west, and township thirteen (13), range three (3) west, within the following lines, viz: Beginning at the north east corner of section thirty-two (32), township twelve (12), range two (2) west, thence south with section line, one and one-half miles to the old Elyton public road, thence in a southwestern direction with said Elyton road, to the range line between range two (2) and range three (3), thence south to the southeast corner of section thirteen (13), township thirteen (13), of range three (3) west, thence west one mile to the southwest corner of section thirteen (13), township thirteen (13), range three (3) west, thence north to the northwest corner of said section thirteen (13), township (13); range three (3) west, thence west one-half mile, thence north through the middle of sections eleven and two to the Mulberry river, thence up said river to the northern line of section thirty-one (31), township twelve, range two (2) west, thence east to the beginning.

Sec. 2. Be it further enacted, That all the public school laws now in force in this State, in reference to conducting the schools, and distributing the public school funds, shall apply to said school district; Provided, this act shall not take effect until October the first, 1889.

Approved December 4, 1888.

No. 236)

AN ACT

(H. B. 137.)

To establish a separate school district to be known as Union district in Limestone county.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district to be known as Union district, in section two, township three, range six, west, in Limestone county, the boundaries of which shall be as follows: Beginning at the southwest corner of section two, township three, range six, west, running east four miles, thence north to Big Creek, west to Elk river, southwest to the west line of section thirty-five, thence south to the beginning.

Sec. 2. Be it further enacted, That the Union district shall receive its proportionate share of the public school revenue, including a pro rata share of the sixteenth section fund of said township, and shall also receive all the tax collected as poll tax within the limits of the territory as set forth in the first section of this act, and the superintendent of education of Limestone county shall set apart from the school revenue of the county, and disburse and use such pro rata exclusively for the maintenance of the public schools in said Union district.

Sec. 3. Be it further enacted, That the county superintendent of Limestone county shall appoint one superintendent for said district who shall be governed by the school law

regulating the duties of superintendent of the township in said county of Limestone.

Approved February 9, 1889.

No. 238.)

AN ACT.

(H. B. 161.

To permit and provide for the incorporation of separate school districts in the county of Tuscaloosa.

Section 1. Be it enacted by the General Assembly of Alabama, That the inhabitants of any township, settlement or neighborhood in the county of Tuscaloosa, may become a body corporate, as a school district, for the purpose of establishing and maintaining public schools, in the manner and with the powers hereinafter expressed, upon a petition in writing, addressed to the judge of probate of the county in which they reside, signed by fifteen or more of the adult male householders, or free holders stating the name and the boundaries by which it is proposed to incorporate such district.

Sec. 2. Be it further enacted, That upon presentation of such petition such judge must direct an election to be held within thirty days thereafter at a place in such township, settlement or neighborhood by him designated, under the direction of three inspectors appointed by him.

Sec. 3. Be it further enacted, That all male inhabitants over twenty-one years of age, who have resided in such boundaries for three months next preceding the election, can vote if not otherwise disqualified.

Sec. 4. Be it further enacted, That the polls must not be opened before ten o'clock in the morning; and the inspectors, before receiving any ballots, must take an oath to conduct the election fairly. The voters must write upon their ballots,

"school district" or "non school district," and the inspectors must receive and deposit the same in the ballot box.

Sec. 5. Be it further enacted, That the inspectors must, within five days thereafter, certify the result to the judge of probate; and if a majority of the votes cast at the election are for "school district" he must, within three days, make an entry or record, that the inhabitants of such township, settlement or neighborhood, are incorporated as a school district by the name and with the boundaries designated in the petition, whereupon the inhabitants of such township, settlement or neighborhood are incorporated and vested with the rights incident to such corporation.

Sec. 6. Be it further enacted, That the business of the school district be managed by three trustees, who are styled the board of school trustees of the district, and hold office for two years, and until their successors are elected and qualified.

Sec. 7. Be it further enacted, That no person can hold the office of school trustee, who has not resided in the district for three months preceding the election. Vacancies may be filled by appointment by the county superintendent of education.

Sec. 8. Be it further enacted, That the judge of probate must notify the superintendent of education, within three days after the return of the inspectors, of the entry of record of such incorporation, and the said superintendent must, within five days of such notice, appoint three inspectors, a place of voting in such district, and a day not more than ten days from such notification, for the election of trustees. Notice of the day and place of election must be, by the superintendent, posted at three public places in the district, at least five days before the election.

Sec. 9. Be it further enacted, That the qualification of the electors and the oath of inspectors must be as in the election for incorporation. If no choice is made, by reason of two or more persons receiving the same number of votes, the inspectors must decide between such persons by lot.

Sec. 10. Be it further enacted, That all subsequent elections after the first, and the inspectors and voting places are appointed by the trustees of the district, and the qualification of voters must be the same as at the first election. All ties must be determined by lot.

Sec. 11. Be it further enacted, That should the election not take place on the day appointed, the corporation is not for that cause dissolved, but the trustees must appoint some other day as early as practicable, for holding the election.

Sec. 12. Be it further enacted, That two members of the board shall constitute a quorum, but one of them shall have power to adjourn a meeting in case of the absence of the other members.

Sec. 13. Be it further enacted, That such separate school district shall receive the proportionate share of the public school fund coming to the county in which it is situated, including the pro rata share of the sixteenth section fund of each township that may lie wholly or partly within such district; said funds to be drawn and applied by the board of school trustees, for the exclusive benefit of the schools of their district; and such school district is authorized to increase its school fund by receiving donations; and such board of school trustees are hereby also authorized to further increase the school fund by levying a tax, not to exceed one-half of one per cent on the taxable property, real and personal, of such district, which shall be collected as the general taxes for the State and county are collected, but the proceeds of said tax shall be applied exclusively to the benefit of the schools of the district within which it shall have been levied and the proceeds thereof shall be paid over to the board of school trustees of such district directly, and no officer through whose hands the proceeds of such tax shall pass, shall be entitled to any com-

pensation, charge, fee, or commission for the collecting or disbursement of such money.

Sec. 14. Be it further enacted, That each member of the board of school trustees shall, upon entering upon the duties of his office, subscribe an oath to faithfully discharge all the duties enjoined upon him as such officer. The trustees shall serve without compensation, and shall not be entitled to any charge, commission or fee on any moneys from whatever source, which may come into their hands for the use of or benefit of the schools of their district.

Sec. 15. Be it further enacted, That the said board of school trustees shall have power to build at convenient and easily accessible places in their district, suitable houses for the schools of said district, and to take possession for the benefit of the schools of the district, of such houses as may be in existence therein at the time of its organization, keep them in good repair, and furnish them with suitable furniture and apparatus. They shall further have power, with the advice and consent of the county superintendent of education, to elect all teachers, fix their compensation and prescribe their duties, dictate the course of instructions, the number and character of the text books, the organization of classes, and the method of teaching, control the distribution of the teachers and pupils among the several schools in their district, and prescribe rules and regulations for the government of the school.

Sec. 16. Be it further enacted, That the county superintendent of education shall perform the same duties, exercise the same supervision, and report on the condition of the schools in the district created under this act, in the same manner as now prescribed by law in regard to the public schools of his county, in so far as the exercise of such functions is not inconsistent with the provisions of this act.

Sec. 17. Be it further enacted, That the children and wards of all actual residents within the limits of such school

district, from seven to nineteen years of age, shall be entitled to seats in the public schools of such district; Provided, such children shall themselves be bona fide residents of such district, and non-resident children may be admitted into such school on such terms and conditions as the board of school trustees may prescribe, but separate schools may be provided for colored children.

Sec. 18. Be it further enacted, That the board of school trustees shall have power to charge in said schools such incidental or other fees as they may deem necessary for the proper conduct of such schools.

Sec. 19. Be it further enacted, That the adult male inhabitants may, by petition in writing to the judge of probate, propose an alteration or change of the name, or of the boundaries of the school district, stating the alteration or change proposed, and on the filing of such petition, the judge of probate must order an election, to be held and conducted in all respects as the election for the original incorporation; and if at such election a majority vote for the proposed alteration or change, the fact must be certified to such judge by the inspectors, and on the filing of such certificate he must make and enter an order allowing such alteration or changes.

Sec. 20. Be it further enacted, That all acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved February 13, 1889.

No. 260.)

AN ACT

(H. B. 236.)

To amend an act entitled an act to create a separate school district in Jackson county, to be known as Pleasant Grove, out of a part of township 5, range 6, east.

Section 1. Be it enacted by the General Assembly of Alabama, That an act entitled an act to create a separate school district in Jackson county, to be known as Pleasant Grove, out of a part of township 5, range 6, east, be amended so as to read as follows: That all of township 5, range 6, lying south of the Tennessee river in Jackson county, Alabama be, and the same is hereby made a separate school district, to be known as the school district of Pleasant Grove.

Sec. 2. Be it further enacted, That to carry out the purposes of said school district Edward R. Chatton, John W. Towney and W. A. Tanner, are hereby appointed trustees in and for said school district, until the first Monday in August, 1891, at which time, and every two years thereafter, the county superintendent of education shall appoint three trustees, residing in said district, who are well qualified to make good and acceptable trustees, and none but a parent or guardian shall be eligible to said office. The said trustees, before entering upon the duties of said office, shall take an oath to faithfully discharge the duties of the same, and shall give bond and security in such sum as shall be prescribed by the county superintendent of education, payable to said township, which sum shall not be less than double the amount that will probably be in the hands of said trustees at any one time, and to be conditioned faithfully to discharge the duties of said office and to pay over to the person authorized by law to receive the same, all moneys coming into their hands as such trustees and belonging to the said school district or to the remaining part of said township 5, range 6; said bonds to be approved by

the county superintendent of education, and the judge of probate (and a copy thereof filed in the office of said judge of probate), and a certified copy thereof filed in the office of the superintendent of education for the State in Montgomery. In case of a vacancy in said board of trustees the remaining members thereof shall proceed to fill said vacancy by appointment to fill out the unexpired term. Said trustees shall be exempt from poll and road duty.

Sec. 3. Be it further enacted, That said board of trustees shall have power to sue and be sued, to purchase and receive both real and personal property to themselves and their successors for school purposes in behalf of said school district. They shall control the disposition of all funds, which may be raised for said district. The said board of trustees, together with the township superintendent, are authorized to rent or lease that part of the fifteenth section with its ferry lying within the limits of said school district in any way that will be most profitable or beneficial to the district and the fractional or remaining portion of said township 5, range 6, but at least thirty days notice of the time and place, with the terms of the leasing or renting of the same, or any part thereof, shall be given by posting notices at not less than three public places in the neighborhood. The said board of trustees and township superintendent shall be empowered to declare all contracts for lease or rent forfeited when the terms thereof are not complied with according to the contract, and to re-lease or rent the same, and to transact any and all business that trustees may of right do, for the successful management of the sixteenth section and its farm not in conflict with the laws of the State or of the United States.

Sec. 4. Be it further enacted, That as soon as practicable after the passage of this act, the said persons hereinbefore named, or a majority thereof, shall proceed to organize, by electing one of their number president of the board, and some

suitable person, either a member of the board or not, secretary of the board, and a treasurer of the school district; Provided, however, that the secretary and the treasurer may be one and the same person if the board shall so elect.

Sec. 5. Be it further enacted, That the term of office of the secretary and treasurer shall be the same as the trustees herein above named, but they may be removed by the board of trustees at any time for cause or incompetency. The board shall require of the treasurer elected by them a bond with security in such amount as may be fixed by them, but in no case less than double the amount of funds that will probably be in his hands at any one time belonging to the school district and fractional township, conditioned to safely keep and disburse according to law, all moneys that may come into his hands as treasurer of said school district, which bond must be payable to said school district and approved by the president of the board and filed with him and a certified copy thereof be filed in the office of the State superintendent of education of Alabama. The board may at any time they see proper require a new or additional bond with other or additional sureties and for a different amount. The treasurer may receive such compensation as may be fixed by said board of trustees for services rendered by him.

Sec. 6. Be it further enacted, That whenever the said board shall be organized in accordance with the provisions of this act, the said school district shall be entitled to receive its per capita share of educational funds raised or appropriated by the State for public schools, and to receive all poll tax paid by the tax payers living within the limits of the district, and also to receive its pro rata share of the rental income accruing from the renting or leasing of the 16th section belonging to said township 5, range 6, (said school district being a part thereof), all of which as now provided by law shall be used exclusively for the maintenance of free public schools within

said district. The rental income of the part of 16th section lying within the limits of said school district, and all other funds for said school district, shall be paid to the treasurer of the district, who shall receipt for the same, and the superintendent of education of the State shall give all necessary orders and instructions to secure payment to such school district of all funds to which it may be entitled from the State or from poll tax. And it shall be the duty of the tax assessor to note each poll assessed by him in that portion of township 5, range 6, lying south of the Tennessee river as belonging to said school district, and it is hereby made the duty of the tax collector to report all of said polls collected by him to the State superintendent of education, to be by him apportioned and paid to said school district. The treasurer of said school district shall collect all of the rents and of the part of section 16th, lying in the school district, and all other moneys that may in any way accrue to said school district, and shall receipt for the same. He shall also pay to the teachers employed in said school district the proportionate share of the rental income accruing to said school district, together with the poll tax and all other funds that may in any way accrue to said school district, as soon as collected by him, upon the order of the trustees, and take receipt for the same. He shall also pay over to the township superintendents of said township 5, range 6, or to the county superintendent of education in case the said township superintendents are not competent to receive and receipt for the same, all the proportionate share of the said remaining part of the township in said rents, income, etc., accruing from the 16th section, and to which said remaining portion of township 5, range 6, are entitled and to take receipts for the same.

Sec. 7. Be it further enacted, That the said board of trustees may meet at such time and place within said district as they may designate for the purpose of transacting any busi-

ness in and for said district, and it shall be their duty at their first regular meeting after the passage of this act, or as soon thereafter as practicable, to designate one of their number who shall, in connection with one of the township trustees of the remaining part of township 5, range 6, to be selected by the township trustees, or in case of neglect or failure of the said township superintendent to arrange for one of their number to act in connection with the member of the board designated, then the county superintendent of education shall designate one of the township superintendents, whose duty it shall be to proceed in connection with said designated trustee of said school district to take an enumeration of all the children, both white and colored, male and female, between the ages of seven and twenty-one years, residing in the said school district, and the remaining part of township 5, range 6, and to make a report in triplicate under their official oath; said report to contain a correct enumeration of the number of children in the school district, and also a correct enumeration of the number within the remaining part of said township who are within the school age, and said enumeration shall be the basis of pro-rating the funds of the township to the school district, and the remainder of said township, one copy thereof to be filed with the county superintendent of education, and a copy with the president of the board of trustees, and one with the township superintendents for the remaining portion of township 5, range 6; and every two years from August, 1889, they, or their successors, shall make an enumeration in like manner, of all children within the school age, within the said school district, and fractional township during the month of August, and it shall be the duty of the treasurer of said school district to pay them one dollar per diem for said services out of any moneys in his hands belonging to the school district and fractional part of said township arising from rents of the 16th section.

Sec. 8. Be it further enacted, That said trustees and treasurer, shall take the oath prescribed by law for officers in this State, which may be administered by the president of the board, or any member thereof.

Sec. 9. Be it further enacted, That said trustees shall have power to admit any pupils not living in the district upon such terms as may be agreed upon, or to transfer pupils from the district to other public schools outside of the district, in the same manner, but they shall not be compelled to establish more than one school for each race in said district unless in their judgment the same shall become necessary.

Sec. 10. Be it further enacted, That the said trustees require to be made out and furnished to the superintendent all such reports as may be required by law or demanded by him.

Sec. 11. Be it further enacted, That the trustees of said school district shall receive no compensation for their services as such trustees.

Sec. 12. Be it further enacted, That all laws and parts of laws in conflict with this act are hereby repealed.

Approved February 15, 1889.

No. 310.)

AN ACT

(H. 598.

To form a separate school district in Talladega county to be known as Chinnibee school district.

Section 1. Be it enacted by the General Assembly of Alabama, That a school district separate and apart from the other school districts and townships of Talladega, be and the same is hereby created out of parts of townships seventeen (17) and eighteen (18), range six, and seventeen (17) and eighteen (18), range seven, to be embraced in the territory within a

radius of two and one-half miles from a point where Chinnibee creek joins Chiaha creek.

Sec. 2. Be it further enacted, That the said separate school district shall receive its proportionate share of the public school revenue of said townships, including a pro rata share of the sixteenth section fund, and shall also receive all the tax collected as poll tax within the limits of the territory as set forth in section one of this act, and the superintendent of education of Talladega county, shall set apart from the school fund of said county, and disburse and use such pro rata share exclusively for the maintenance of the public schools of said separate school districts.

Sec. 3. Be it further enacted, That said separate school district shall be under the supervision of three trustees, namely: S. W. Pace, J. E. Camp, and A. W. Porter, who shall hold office for two years, to date from the approval of this act, and until their successors are appointed and qualified, and said trustees shall have power to fill any vacancy which may occur either by removal, death or otherwise, and appoint their successors; Provided, any two agree on such appointment.

Approved February 20, 1889.

No. 354.)

AN ACT

(H.810)

To provide for the election of township trustees of public schools, by a vote of the people in the counties of Cullman, Blount and Covington.

Section 1. Be it enacted by the General Assembly of Alabama, That on the last Monday in October, 1889, or within seven days thereafter, on the day appointed by the trustees as provided in section 968 of the Code, and every two years

thereafter, there shall be elected three trustees of public schools in each township by the qualified voters thereof, in the counties of Cullman, Blount and Covington, who shall hold their office two years, and until their successors are elected and qualified. They shall have immediate supervision of public schools in their respective townships, and shall do and perform all the duties required by law to be done and performed by any officer in relation to public schools in their townships and a majority of them shall be a quorum to transact any business. None but householders or freeholders residing in the township shall be eligible to said office, and the county superintendent shall fill all vacancies by appointment. The trustees of each township shall fix the place of holding said election in each township, appoint the inspectors and returning officers, give notice and make publication, and shall hold said election in accordance with the general laws of the State, and declare the result, and notify the county superintendent of such election. And the inspectors and returning officers shall receive no compensation for their services under this act.

Sec. 2. Be it further enacted, That such trustees shall not sell or lease school lands without giving bond as required by law.

Sec. 3. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved February 23, 1889.

No. 377.)

AN ACT

(S. 76)

To constitute the City of Tuscumbia a separate school district and to provide for the management of the public schools in said school district.

Section 1. Be it enacted by the General Assembly of Alabama, The corporate limits of the City of Tuscumbia, in Colbert county, Alabama, shall constitute a school district separate and apart from the other school districts in the county of Colbert, and the inhabitants of said City of Tuscumbia are hereby incorporated by the name of "The School District of the City of Tuscumbia."

Sec. 2. Be it further enacted, That the City of Tuscumbia as such separate school district, shall receive the proportionate share of the public school fund coming to the county of Colbert, including a pro rata share of the sixteenth section fund of that township that lies partly within the school district of the said city, and shall receive all the taxes collected as poll taxes within such school district, commencing with the scholastic year beginning October 1st, 1888, for the use and maintenance of the public schools therein; said fund and taxes to be drawn by such officer as may be appointed for that purpose by the board of education of the school district of the City of Tuscumbia in the same manner as county superintendents of education draw the funds of their respective counties, said officer to give such bond as may be required by the board payable and conditional as bonds of county superintendents. And the amount thus drawn shall be paid to the treasurer of said board of education.

Sec. 3. Be it further enacted, That all funds devoted to public school purposes in the school district of the City of Tuscumbia, whether derived from State, county or city, shall be paid to the treasurer of said board of education and shall

be disbursed in such manner as the board of education shall direct; not more than five per cent of all moneys raised or which may be hereafter appropriated for the support of public schools in said city, shall be used or expended otherwise than for the payment of teachers employed in such school.

Sec. 4. Be it further enacted, That the public schools of the school district of the City of Tuscumbia shall be under the charge of a board of education to consist of the mayor of the city of Tuscumbia, who shall be ex-officio president of said board, and six other persons, residents of said city of Tuscumbia, to be elected by the board of mayor and aldermen of the city of Tuscumbia at their regular meeting in the month of March, 1889, or soon thereafter as practicable; the first two elected shall hold their office for a term of two years, and the second two elected shall hold their office for the term of four years, and the last two elected shall hold their office for the term of six years, and at each regular meeting in January, biennially or as soon thereafter as practicable, they shall elect two suitable persons to succeed those whose office have expired, so that two of such persons shall be elected biennially. Vacancies in said board shall be filled by election of the board of mayor and aldermen of the city of Tuscumbia, at the first regular meeting of said board after the occurrence thereof; or as soon thereafter as practicable, the membrs so elected to serve for the remainder of the unexpired term. The president of said board shall make reports and furnish statistics and information to the superintendent of education of the State as may be required by law of county superintendents of education.

Sec. 5. Be it further enacted, That each member of the board of education except the president shall, on his induction into office, take the following oath: I do solemnly swear that I will use my best endeavor to carry out faithfully all the

laws now in force and those hereafter enacted to provide a school fund and to regulate the public schools of the city of Tuscumbia, so help me God. Said oath may be administered by the mayor of said city.

Sec. 6. Be it further enacted, That said board of education shall have power with the approval of the board of mayor and aldermen of said city to build upon the property of the city suitable houses for use and accommodation of the public schools in said district, or said board may rent such houses. Said board shall keep said houses in proper repair, and shall furnish the same with appropriate furniture and apparatus; Provided, that no contract shall be entered into and no disbursement of any moneys or funds under the provisions of this act shall be made except by the consent and under the direction and control of the board of mayor and aldermen.

Sec. 7. Be it further enacted, That the said board of education may open a sufficient number of schools to meet the wants of the population of the city of Tuscumbia, and said board shall elect such officers as are in their opinion necessary to the good government of said schools, and when required such officials shall, before entering upon the duties of their respective offices, take the oath of office prescribed by law for all officers in this State and shall give bond in such sum as may be fixed by said board of education, and condition as all other official bonds. Such bonds shall be approved by the president of said board of education, and file with the other official bonds of the city, and a certified copy of the bond of the officer selected to receive the funds of said district shall be filed in the office of the State superintendent of education; and shall elect a superintendent and all teachers, fix their compensation and prescribe their duties, control distribution of teachers and pupils among the several schools, dictate the course of instruction, the number and character of text books,

the organization of classes, and shall prescribe rules and regulations for the government of the schools aforesaid. Such board shall have and exercise such other and additional powers as may be necessary to give it complete control of the public schools of said district. Any of such officers or teachers may be removed for cause to be determined by said board.

Sec. 8. Be it further enacted, That said board of education may issue diplomas to all persons who satisfactorily complete the course of study prescribed for the public high schools of said school district.

Sec. 9. Be it further enacted, That the children and wards of actual residents within the limits of the school district of the city of Tuscumbia, from seven to twenty-one years of age shall be entitled to seats as pupils in the public schools of said city; Provided, such children shall themselves be bona fide residents of said city and non-resident children may be admitted into such schools on such terms and conditions as the board of education may prescribe; but separate schools shall be provided for the colored children.

Sec. 10. Be it further enacted, That the board of education shall have power to charge in the several grades in said schools such individual or other fees as they may deem necessary for the proper conduct of said schools.

Sec. 11. Be it further enacted, That the said board of education shall have authority to create a board for the examination of applicants for positions as teachers in the several grades of the public schools of said district of the city of Tuscumbia and no person shall be elected as a teacher in said schools who shall not have received a license from such board.

Sec. 12. Be it further enacted, That the said board of education shall not have received a license from such board. a secretary, treasurer, and such other officers as may be re-

quired to serve for one year or until their successors are duly elected and qualified.

Sec. 13. Be it further enacted, That it shall be the duty of the board of education before the first day of August of each year to prepare and file with the mayor of Tuscumbia an estimate of the money that will be required for the maintenance of the public schools of said district for the succeeding scholastic year and for the erection and repair of necessary school buildings in order that the board of mayor and aldermen of the said city of Tuscumbia may make the necessary provisions to supply the funds required in said estimates.

Sec. 14. Be it further enacted, That said board of education shall have power to enact such by-laws, rules and regulations necessary for its government.

Approved February 26, 1889.

No. 381.)

AN ACT

(S. 401.

An act to fix the pay of the superintendent of education of the county of Perry.

Section 1. Be it enacted by the General Assembly of Alabama, That from and after the passage of this act the superintendent of education of Perry county shall receive for his official services in discharge of the duties of said office, four per centum on the amount of money disbursed by him as such superintendent, to be paid out of the school fund apportioned to said county, in lieu of all compensation now allowed him by law.

Approved February 26, 1889.

No. 408.)

AN ACT

(S. 38.

To establish separate school districts in this State and fix the boundaries of the same, viz: The Ironaton school district in Talladega county, the Aimwell school district in Marengo county, the Tuskegee school district in Macon county, the Hazel Green school district in Madison county, the Callahan district in Conecuh county, the Central Institute school district in Elmore county, the Woodland Mills school district and Lawrence Cove school district in Morgan county, the Titi school district in Coffee county, the Woolf's Beat school district in Morgan county, the Sylvan Grove school district in Dale county, the Baker school district in Henry county, the Moss Grove school district in Marengo county, the Fortner school district in Conecuh county.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district to be known as Ironaton

school district be established and subject to the public school laws of the State of Alabama out of part of township 18, range 6 east, in Talladega county, to-wit: All the territory embraced in sections 25, 26, 35 and 36, lying within said township. That the said separate school district shall receive township, including a pro rata share of the sixteenth section its proportionate share of the public school revenue of said fund; and shall also receive all the tax collected as poll tax within the limits of the territory set forth, and the county superintendent of education shall set apart from the county school fund and disburse and use such pro rata share exclusively for the maintenance of the public schools of said separate school district. And to establish a separate school district to be known as the Aimwell school district in Marengo county, embracing all that part of sections four, five, six, seven, eight and nine of township 13, range two, east, lying west of Hodgins creek, and section thirty-one, thirty-two and thirty-three, township fourteen, range two, east. And a separate school district to be known as the Tuskegee district, is hereby established at Tuskegee in the county of Macon, the boundaries of which shall be one and a quarter miles each way from the court house. And a separate school district is hereby constituted to be known as Hazel Green school district, commencing at the school house known as Milton Humes Academy, thence north to Fisk's Mills, south to Gentry's Cross Roads, east to Narrow Lane, west to McKay's in township one, range one, east, and township one, range one, west, in Madison county, and embracing an area of four miles square. And a separate school district to be known as Callahan district, embracing that portion of township six, ranges ten and eleven, lying between Cane Creek on the east and Murder Creek on the west in Conecuh county. And a separate school district to be

known as the Central Institute school district, is hereby constituted, embraced in the bounds of sections 19, 20, 21, 28, 29, 30, 31, 32, and 33, in township 20, range 20, also section one in township 19, range 19, and sections 36, 25 and 24 in township 20, range 19, in Elmore county. And a separate school district, to be known as Woodland Mills school district in Morgan county, is hereby created, beginning at Cataco Creek where the Robinson branch enters into said creek, thence east on the line bounding election precinct number 8, to the top of the mountain, thence in a northerly direction along the top of the mountain to the Kennedy point above Joseph Williams', thence west to Cataco Creek at Winston's ferry, thence in a southerly direction up side of said creek to the place of beginning. And a separate school district, to be known as Lawrence Cove school district in Morgan county, is hereby created embracing a portion of township eight, range two, west, beginning at the northeast corner of township eight, range two, west, running south to the center of section thirteen, thence west to the west line of section fifteen, thence north, to the northwest corner of section fifteen, thence west to the southwest corner of section nine, thence north to the center of section thirty-three, township seven, range two, west, thence east to the township line, thence south to the beginning point. And a separate school district, to be known as Titi district, in Coffee county, is hereby formed, embracing all that part of township three, range twenty, east of Titi creek, and that part of township three, range twenty-one, on the west side of Double bridges creek, down south to the line of Geneva and Coffee, to the township line of three and four between said creek, also from township line three and four, thence up little Double Bridges creek to Milborne creek, thence up Milborne creek to south boundary line of sections thirteen and fourteen,

thence west along said line to Titi creek, and thence down Titi creek to county line. And a separate school district, to be known as Woolf's Beat School District, in Morgan county, is hereby established, embracing a portion of township six, range one west, and a portion of township seven, range one, west, described as follows: commencing where the south line of section seven, township seven, range one east, crosses the county line, then running the said county line to where the north line of section nineteen, township six, range one east, crosses the county line, thence west to the top of the mountain, then let the top of the mountain be the line till it strikes the section line between section seven and section eighteen, township seven, range one, west; thence east to the commencing corner and known as Woolf's Beat. And a separate school district is hereby established, to be known as the Sylvan Grove School District, in Dale county, embracing the Sylvan Grove Academy, and the territory surrounding the same, beginning where the Henry county line crosses Blackwood's creek; thence west down said creek to Choctawhatchie river; thence west down said river to Lee's bridge on the Marianna road; thence south along said road to Mann's ford, where said road crosses Kelly's creek; thence east up left hand fork of said creek to its head (or uppermost spring) near J. P. Carlisle's plantation; thence due east until it strikes the Henry county line; thence north along said line to starting point. And a separate school district, to be known as the Baker School District, in Henry county, is hereby created out of parts as follows: Beginning on the south side of township 6, range 27, through center of sections 34, 27, 22, and southeast quarter section fifteen going north; thence east through center of sections 13 and 14, and through center of sections 18 and 17, and thence south along a portion of sections 17, 20, 29 and 32 of township 6,

range 28; thence through section 5; thence west through section 6, township 5, range 28, and sections 1 and 2, and half through section 3; thence north to line township 5, range 27; And a separate school district, to be known as the Moss Grove School District, in Marengo county, is hereby established, commencing at the point where Watkin's creek empties or flows into Chickasawbogue creek; from thence following the various meanderings of said Chickasawbogue creek in an easterly direction to the section line between sections thirty-three and thirty-four of township 16, range 4 east; thence due south to the township line between townships fifteen and sixteen; thence west one-half mile; thence south one-half mile to the center of section 4, township 15, range 4 east; thence west one mile to the center of section 5, township 15, range 4 east; thence south one and one-half miles; thence due west to Watkin's creek; thence along the bank of said creek to the place of beginning. And the Fortner School District in Conecuh county, is established, embracing all that part of Old Town beat south of Simmons Creek.

Approved February 27, 1889.

No. 444.)

AN ACT

(H. 924.)

To constitute the town of Alco, in Escambia county, Alabama, as a separate school district.

Section 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the town of Alco, in Escambia county, Alabama, shall be and is hereby constituted a school district separate and apart from other school districts in said county, and the inhabitants of said town are hereby incorporated by the name of the school district of Alco.

Sec. 2. Be it further enacted, That the mayor and councilmen of the town of Alco, and their successors in office shall constitute a board of trustees for the district, which board shall proceed to establish said school district under the regulations hereinafter set forth.

Sec. 3. Be it further enacted, That the town of Alco, as such school district, shall receive its proportionate share of the public school revenue, including a pro rata share of the sixteenth section funds of such township that lie partly within the corporate limits of the town of Alco; and the superintendent of education of Escambia county shall set apart from the public school revenues of the county, and disburse and use such pro rata share exclusively for the maintenance of the public schools in the town of Alco.

Sec. 4. Be it further enacted, That said board of trustees are authorized to establish and locate the number of public schools to be taught each year within the school district, and elect teachers for the same, whether for males or females, white or colored, and perform all other duties imposed on township superintendents in this State.

Sec. 5. Be it further enacted, That the board of trustees, as constituted in this act, shall control, manage and disburse all revenues which may be raised by special tax or otherwise, for the maintenance of the public schools within the limits of the town of Alco, and under such rules and regulations as the board of trustees may prescribe; Provided, that where donations or contributions are made to a school in the district, or to said school district, the board of trustees shall apply the donations or contributions in the manner indicated by the party or parties contributing.

Sec. 6. Be it further enacted, That the trustees shall have power to buy lands for the purpose of building school houses,

which lands shall be deeded to themselves and successors in office as trustees of said school district. They shall also have power to build suitable school houses, buy furniture for the same, and employ and pay teachers.

Sec. 7. Be it further enacted, That the trustees of said school district shall make their report as is now required of township superintendents to the county superintendent; they shall have power to receive any scholar not living within the limits of the district on such terms as may be agreed upon; they shall also have the power to grade their schools.

Sec. 8. Be it further enacted, That the board of trustees shall appoint a treasurer, who shall take charge of the money belonging to the district, and shall give such bond as the board may direct, and shall pay out the same upon the order of the board through the mayor.

Approved February, 27, 1889.

No. 459.)

AN ACT

(H. 592.

To create a separate school district in Marion and Lamar counties and to define the boundaries thereof.

Section 1. Be it enacted by the General Assembly of Alabama, That all that part of township eleven, range fifteen, of Marion county, that lies west of the Sipsey creek, to township eleven, range sixteen of said county, and all that part of Lamar county that lies west of said creek to the same township eleven of range sixteen, be and the same is hereby formed into a separate school district, to be known as the Stuckey District, for which a superintendent shall be appointed, as provided by law for other districts of this State.

Sec. 2, Be it further enacted, That said school district shall be in all respects managed and controlled as a school district as now provided by law for the school districts in this State.

Sec. 3. Be it further enacted, That the township superintendent shall be appointed by the county superintendent of Marion county.

Sec. 4. Be it further enacted, That the county superintendents of the counties of Marion and Lamar, shall regularly apportion and set aside for the benefit of such school district the respective amounts due pro rata to the school children living within the said school district in their respective counties, and pay over the same to the superintendent of said school district for the support of public schools in said school district.

Approved February 27, 1889.

No. 469.)

AN ACT

(H. 792.)

To create the town of New Decatur a separate school district, to incorporat the same and define its powers and duties.

Section 1. Be it enacted by the General Assembly of Alabama, That the territorial limits of the town of New Decatur, as defined in the corporation of said town, be and the same is hereby created a school district separate and distinct from the other school districts of the county of Morgan.

Sec. 2. Be it further enacted, That the inhabitants residing within the territorial limits of said district be and they are hereby constituted a body politic and corporate by the name and description of "The school district of the town of New Decatur," and by that name may sue and be sued, may contract and be contracted with, may have, take, hold, sell, exchange and convey real and personal property, and may acquire such

property by purchase or gift; may have perpetual succession, and may exercise all the rights, powers, franchises and privileges which are necessary or proper to carry into effect the purposes of this act.

Sec. 3. Be it further enacted, That the governing body of said corporation shall consist of seven trustees, resident male citizens of said district, above the age of twenty-one years, who shall be elected as herein provided, by the electors residing in said district, who are males above the age of twenty-one years, and who have resided in said district for three months continuously immediately prior to the day of election.

Sec. 4. Be it further enacted, That the first election of the trustees of said district shall take place on the first Monday in April next, at such place within the said district as may be appointed by the corporate authorities of the town of New Decatur, and of the place so appointed, the said authorities must give at least ten days notice by posting notice at four or more public places within said district. Thereafter the election of trustees must be be-ennially on the first Monday in April at such place or places as may be designated by the corporate authorities aforesaid.

Sec. 5. Be it further enacted, That at least twenty days before an election of trustees, the corporate authorities of the said town of New Decatur must appoint three inspectors for each voting place, resident male citizens of the age of twenty-one years, under whose direction the said election must be conducted and held. The inspectors must, before entering on their duties, severally before some officer authorized to take and certify oaths, take and subscribe an oath in writing, fairly and impartially to hold and conduct the election, which oath must be filed in the office of the mayor or intendant of said town of New Decatur. The polls at such election must be opened between the hours of 8 and 9 o'clock in the morning,

and when opened, must remain open until 5 o'clock in the afternoon. If any of the inspectors so appointed fail to attend by half past 8 in the morning, the inspectors or inspector attending must appoint another inspector or inspectors in the place of the one or more not attending, who must have the qualifications herein prescribed, and must take the oath herein prescribed. The voting at such election must be by ballot, and the ballot must be a plain piece of white paper, on which must be written or printed the names of the persons voted for as trustees. Immediately on closing the polls, it is the duty of the inspectors to count the votes polled, and to make and certify a statement in writing of the number of votes polled, the number of votes received by each person voted for as trustee, which statement must be filed with the mayor or intendant of the town of New Decatur, together with the poll list; and with the mayor or intendant must be desposited the ballot boxes, sealed up by the inspectors, containing the ballots cast at the election and the poll lists, and such ballots and poll lists sealed up must be preserved by the mayor or intendant for the space of ten days; when, if there be not a contest of said election, he shall open the box and destroy such poll lists and ballots. The mayor or intendant of said town must, if there be not a contest of said election, on the expiration of ten days from and after the day of election, issue to the person having the largest number of the votes cast as shown by the statements filed with him by the inspectors, a certificate of election. If at such election two or more persons receive an equal number of votes, the inspectors must decide between them by lot. Within ten days any qualified elector of the district may contest the election of any person as trustee before the judge of probate of the county of Morgan, by filing with the said judge a statement in writing verified by affidavit, setting forth that at the time of the elec-

tion he was a qualified voter of the district and the name or names of the person or persons whose election it is proposed to contest, and the particular grounds of such contest. The following and none other shall be deemed grounds of contest of the election, viz: Malconduct, fraud or corruption on the part of the inspectors, or on the part of the mayor or intendant affecting the result of the election; because of illegal votes affecting the result of the election; because of the ineligibility of the person elected. On the contestant filing the statement aforesaid, and giving bond with two good and sufficient sureties, who must by the judge of probate be approved good and sufficient, in a penalty not less than two hundred and fifty dollars, payable to the said judge, with condition that the contestant will prosecute such contest to effect, or if he fail therein, that he will pay all the cost thereof, and such bond, without regard to its penalty, whether such penalty is less than or exceeds the costs, shall be taken and deemed as binding the obligors to pay the costs which may be adjudged against the contestant, and for such costs, when taxed by the judge of probate, execution may issue against any or all of the obligors in said bond. Such statement and bond being filed, the judge of probate must appoint a day, not exceeding ten days thereafter, for the trial of such contest, and must issue a notice with a copy of the said statement, directed to the person whose election is contested, which must be served on such person at least five days before the day appointed for the trial. The proceedings on such contest must in all other respects be conducted as elections are contested under the statute regulating the contest of elections before the judge of probate.

Sec. 6. Be it further enacted, That the trustees so elected shall have power to enact by-laws for their own government, and for the management and government of the public schools in said district, all which schools are placed under the control of the said trustees, subject to the supervision and visitation

of the State superintendant of education. The said trustees shall locate the several public schools of the district, and may change such location as often as is deemed advantageous and expedient. They shall receive all funds and moneys accruing to the said school district, and apportion the same to each school. They shall, as may be expedient, grade the several schools, and must, as soon as may be convenient, attach to one or more of the male schools a department in which the pupils will be instructed and employed in the practical use of mechanical tools or implements, and to one or more of the female schools an industrial department in which the pupils will be instructed and employed in all that is necessary to housekeeping and needlework, and they shall, as is required by the laws of the State, maintain separate schools for the white and for the colored race, apportioning to these separate schools all public funds as such funds are proportioned by the general laws, and applying to the use of each school all funds or property which may be donated to the said school district for the use of such school. They shall have the care and management of all property acquired by the said school district, but shall not have power to dispose of any real estate donated to said district for the use of the colored school without the consent of a majority of the colored male inhabitants of the said district, of the age of twenty-one years, to be ascertained by an election held at that purpose at a time and place to be appointed by the said trustees, of which ten days notice must be given, nor shall said trustees dispose of any real estate donated to said district for the use of a white school without, in like manner, obtaining the consent of a majority of the white male inhabitants of the said district of the age of twenty-one years. They shall employ all teachers of the said public schools, fix their compensation, and remove them at pleasure. They shall contract for and superintend the erection and construction of all

houses and buildings for the use of the public schools, and the proper furnishing thereof, and shall cause the same to be kept in proper repair and properly supplied with necessary fuel. They shall, subject to the supervision and control of the State superintendent of education, prescribe the course of study and the books to be used in said schools, and further to do and perform all acts necessary to the maintenance of public schools in said district.

Sec. 7. Be it further enacted, That the said trustees shall elect a clerk and treasurer, who shall serve during the term of the trustees electing them, and shall be removable at the pleasure of a majority of the trustees. The clerk shall be the keeper of the books and records of the trustees, and shall keep a full and accurate minute of all their proceedings. The treasurer shall have the custody and shall receive all moneys accruing to the said school district from any and all sources, and shall pay out the same on the order of the trustees as shown by the warrant of the clerk directed to him. He shall give bond with at least two good and sufficient sureties, payable to the said school district by its corporate name in a penalty double the amount which it may be supposed will come to his hands annually for safe keeping and disbursement, with condition that he will faithfully keep, and fairly and justly account for all the moneys received by him, and for all defaults committed by him the obligors in said bond shall be liable, though such default may exceed the penalty in the said bond expressed, and the clerk and treasurer must conform to and obey all rules, regulations and by-laws provided for their government by the said trustees.

Sec. 8. Be it further enacted, That said trustees shall have full power to levy a tax for the maintenance of the public schools in said district on all property, real and personal, within said district subject to taxation by the State, not to exceed one-half of one per centum on the value thereof as assessed for State taxation the preceding year. The said tax must be assessed by the clerk of said trustees, he having first taken an oath fairly and accurately to make such assessment, and the said tax must be collected by such officer or person as the said trustees may appoint, and for the enforcement of the payment of such tax all the remedies may be employed which the tax collector of the county may employ for the collection of State and county taxes, and real estate may be sold for the non-payment of such tax by like proceedings and in the same manner in which real estate may be sold for the non-payment of State and county taxes.

Sec. 9. Be it further enacted, That the said school district shall receive its full and just proportionate share of the public school revenues, including a just pro rata share of the sixteenth section funds of the township in which the said district is situated, and shall receive all the taxes collected as poll taxes within the said district, all which revenue and funds must be collected by the county superintendent of education, and paid to the treasurer of said trustees.

Sec. 10. Be it further enacted, That the said trustees shall make to the county superintendent of education all such reports as may be required by law of township superintendents.

Approved February 28, 1889.

No. 529.)

AN ACT

(S. 241.

To amend sections 1, 8, 9, 12, 13, and 14, of an act to create a board of education for the town of Decatur, and to prescribe the duties and powers of the same

Section 1. Be it enacted by the General Assembly of Alabama, That the first section of an act to create a board of education for the town of Decatur, and to prescribe the powers and duties of the same, is hereby amended so as to read as follows: Section 1. That the public schools of the town of Decatur shall be under the charge of a board of education, to consist of six members. The members of said board shall be appointed by the State superintendent of education in the following manner: The successor of L. M. Falk shall be appointed to serve until January 1st, 1892; the successor of Dr. B. F. Cross shall be appointed to serve until January 1st, 1892; the successor of Mayor C. C. Austin shall be appointed at the expiration of his term, to serve until January the 1st, 1893; the successor of L. H. Grubbs, shall be appointed to serve until January 1st, 1893; the successor of C. C. Harris shall be appointed to serve until January 1st, 1894; one new member shall be appointed as soon as possible, to serve until January 1st, 1894. At the expiration of the term of office of each member thus appointed, his successor shall be appointed for a term of three years. All vacancies shall be filled by appointment, by the State superintendent of education, immediately after notification of the same by the board; the members so appointed, to serve for the remainder of the unexpired term,

Sec. 2. Be it further enacted. That section eight shall be amended so as to read as follows: That the plan of instruc-

tion, and all rules and regulations adopted by said board shall be adhered to, unless altered by a vote of two-thirds of the members thereof.

Sec. 3. Be it further enacted, That section nine be amended so as to read as follows: That the board of education shall have authority to elect from its own members, a president, secretary and treasurer, to serve for a term of one, two or three years, as the board may prefer; the first election to be held January 1st, 1890, or as soon thereafter as practicable.

Sec. 4. Be it further enacted, That section twelve be so amended as to read as follows: That the treasurer who shall be elected by the board of education, shall before entering upon the duties of his office take the oath of office prescribed by law for all officers in this State, and shall give bond in such sum as may be fixed by the board of education, but to be for not less than double the amount of money which he may have in his hands at any one time, and conditioned as all other official bonds; such bonds shall be approved by the State superintendent of education, and filed in his office.

Sec. 5. Be it further enacted, That section 13 be amended so as to read as follows: That the treasurer of the board of education shall draw and distribute the public school fund in the same manner that the county superintendents of education draw and distribute the funds for their respective counties, and the amount thus drawn by said superintendent, shall be used exclusively for the maintenance of public schools in the town.

Sec. 6. Be it further enacted, That section fourteen be amended so as to read as follows: That the treasurer of the board of education may be removed for cause, either by the board of education or by the State superintendent of education.

Sec. 7. Be it further enacted, That all laws in conflict with this act, or a part of this act be, and the same are hereby repealed.

Sec. 8. Be it further enacted. That this act shall go into effect immediately on its passage.

Approved February 28, 1889.

No. 534.)

AN ACT

(H. 990.)

To constitute a separate school district, to be known as the Salem School District, in the county of Lee, and State of Alabama, and for the appointment of a board of trustees therefor.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district be and the same is hereby established, as hereinafter provided, in the county of Lee and State of Alabama, which district shall be composed and consist of all that territory included in sections nineteen (19), twenty (20), twenty-one (21), twenty-two (22), twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), twenty-seven (27), twenty-eight (28), twenty-nine (29), thirty (30), thirty-one (31), thirty-two (32), thirty-three (33), thirty-four (34), thirty-five (35), and thirty-six (36), of township nineteen (19), range twenty-eight (28), and all of sections two (2), three (3), four (4), and five (5) of township eighteen (18), range twenty-eight (28).

Sec. 2. Be it further enacted, That to carry out the purposes of this act, Wm. A. Dunn, Thadeus W. Scott, Micheal

W. Whitman, Warner P. Kennon, Jno. A. White, J. A. Waller, Geo. W. McKennon, Chas. W. Buck and S. T. Nelms are hereby constituted and appointed a board of trustees of said Salem School District, who shall have power to purchase, receive, hold and convey for and in behalf of said school district all such personal and real property as may be necessary or proper for the purpose of said school district, and who shall control the disposition of all funds which may be received by or for said school district. They shall also have power to build suitable school houses, and buy furniture for the same.

Sec. 3. Be it further enacted, That as soon as practicable after the passage of this act, the said persons hereinabove named, or a majority thereof, shall proceed to organize said board of trustees, by electing one of their number president of the board, and by electing some suitable person or persons, whether members of the board or not, as secretary of the board and treasurer of the school district; Provided, however, the secretary of the board and treasurer of the district may be one and the same person, if the board shall so elect.

Sec. 4. Be it further enacted, That the term of service of the persons hereinabove named as trustees, shall be for the term of two years from the time of their election, 1891, or until their successors are appointed and qualified, and their successors and all subsequent boards of trustees shall consist of nine persons, who shall be appointed by the superintendent of education of Alabama, on the first day of October, 1891, or as soon as practicable thereafter, and every two years thereafter, who shall hold office for the term of two years, or until their successors are appointed and qualified. In case of a vacancy in said board of trustees from any cause, the remaining members of said board shall have power to fill said vacancy for the unexpired term.

Sec. 5. Be it further enacted, That the terms of service of secretary and treasurer shall be for two years from the date of

their election, but they may be removed by said board of trustees at any time. The board shall require of the treasurer so elected a bond, in such amount as may be fixed by them, in no case to be less than double the amount of funds that will be in his custody at any one time payable to said school district and conditioned to safely keep and disburse according to law, all money which may come into his hands as treasurer of said school district, and to be approved by the president of said school board, and filed with him. A copy of said bond, certified to by the president of said board, shall be filed in the office of the State superintendent of Alabama. The board may require additional bond, with other or additional securities, and a different amount when they see proper to do so. The said treasurer shall receive such compensation as may be fixed by said board of trustees, but in no case to be more than two per centum of the money disbursed by him.

Sec. 6. Be it further enacted, That no one but a freeholder, or householder resident within said district, shall be eligible to be appointed as a member of said board of trustees, or be elected secretary or treasurer thereof. Said trustees and treasurer shall take the oath of office prescribed by law for all officers of this State before entering upon the duties of their office.

Sec. 7. Be it further enacted, That said board of trustees may meet at such time and places within said district, as they may designate, and shall take such measures as may be proper to establish such schools in said district as may be necessary for the accommodation of the youth thereof, of each race; to grade such schools, prescribe the text books to be used therein, employ teachers and generally to make such rules and regulations for said school district as to them may seem best and not in conflict with the laws of this State. The State superintendent of education shall furnish said boards of trustees such books and blanks as are furnished the county superintendent of education.

Sec. 8. Be it further enacted, That said board of trustees shall have power to receive any scholars not living within said district on such terms as they may designate.

Sec. 9. Be it further enacted, That the trustees of said district shall receive no compensation as said trustees.

Sec. 10. Be it further enacted, That said school district shall be entitled to receive its proportionate share of all funds raised or appropriated by the State for public schools, and shall also receive its pro rata share of the sixteenth section interest accruing to the townships or parts of townships of which said school district is composed. And it shall receive all poll tax which may be collected from residents of said school district, and all funds which may be donated to said school district. All funds of said school district shall be paid to the treasurer of said school district, who shall receipt for the same, and the superintendent of education of the State, or other proper State officer, shall give the necessary orders and instructions, and issue the necessary warrants or certificates to secure the payment to said school district of all funds to which it may be entitled from the State, or from poll tax, direct to the treasurer of said school district.

Sec. 11. Be it further enacted, That the said board of trustees shall have power to levy an annual tax for school purposes, not to exceed one-half of one per cent. upon all property, both real and personal, within the bounds of said school district, and the tax assessor of the county of Lee shall, by direction of said board of trustees, assess said tax, which said assessment shall be collected by the tax collector of Lee county, at the same time, and in the same manner, with the annual State and county taxes, except that the said tax assessor shall, in making said assessment, keep separate lists of the property belonging to white and colored tax payers, and the said tax collector shall keep the taxes paid by each race, so distinct as

to be able to designate the amount paid by each, and so pay over to and take receipts from said treasurer of said board of trustees for the amount paid by each race; said treasurer may keep the same separate and distinct. All taxes collected by the said tax collector within said district, shall be paid to the said treasurer of said school district, who shall receipt for the same, less the fees for assessing and collecting, and the said taxes so collected and paid over to the said treasurer, shall, by direction of said board of trustees, be disbursed in the interest of the separate schools for each race, respectively. And all funds raised or appropriated by the State for public schools and the pro rata share of the sixteenth section fund, and all poll tax which may be collected from residents of said school district, and all funds donated to the same, shall in like manner be kept separate and disbursed in the interest of each race accordingly.

Sec. 12, Be it further enacted, Before a special tax provided for by section 11 of this act shall be levied, an election shall be ordered by the probate judge of Lee county, on application of said trustees, to be held at Salem, Alabama, at such time as said judge of probate shall prescribe, to be held under the general election laws of Alabama, and the qualified electors residing in the proposed school district shall be allowed to vote at said election. If a majority of said electors shall vote against the said tax, it shall not be levied. If a majority of said electors shall vote in favor of the same, the probate judge shall enter a statement to that effect, upon the minutes of the commissioners court of said county, and the said tax shall be levied and collected; the tax from the white race to go to the white schools, and the tax from the colored race to go to the colored schools.

Sec. 13. Be it further enacted, That the said board of trustees shall make annual reports to the State superintendent

of education the same as required of county superintendents of education.

Sec. 14. Be it further enacted, That this act shall take effect from the date of its approval, and that all laws and parts of laws in conflict with this act, are hereby repealed.

Approved February 28, 1889.

No. 560.)

AN ACT

(H. 926

To constitute the city of Gadsden a separate school district.

• Section 1. Be it enacted by the General Assembly of Alabama: That the corporate limits of the city of Gadsden, Alabama, as they now or hereafter may exist, shall constitute a public school district separate and apart from the remaining school districts of Etowah county, and shall be known as the Gadsden Public School District.

Sec. 2. Be it further enacted, That the city council of Gadsden and their successors in office shall constitute a board of trustees for said school district, who shall as soon as practicable proceed to establish and control said public school district under the regulations hereinafter set forth.

Sec. 3. Be it further enacted, That the said city council shall have the power to buy and lease lands for the purpose of building school buildings, or lands with school buildings thereon, to be used for school purposes, taking the deeds to themselves, and their successors, and also to purchase, erect and furnish school buildings.

Sec. 4. Be it further enacted. That said city council are authorized to establish and locate the number of public schools to be taught each year within said school district, and elect trustees for the same, whether for males or females, white or

colored, and perform all other duties necessary to the proper regulation and maintenance of such schools.

Sec. 5. Be it further enacted, That the Gadsden public school district shall receive its proportionate share of the public school revenue, including its pro rata share of the sixteenth section fund, and shall also receive all the tax collected as poll taxes within the limits of said school district for the use and maintenance of the public schools therein, in the same manner as county superintendents receive school funds. All moneys collected or received by the city of Gadsden for school purposes pursuant to this act, shall be paid over to the treasurer of said city and be kept by him separate and apart from all other funds of the city, and shall be paid out only on warrant in favor of the city superintendent of schools drawn by the clerk of said city on a resolution or ordinance of said city council. And the city council shall require a separate bond from the city treasurer for the safe keeping of said funds in such sum and with such condition of security as they may prescribe, and payable to the said city council and their successors, which bond shall be filed with the city clerk, and shall be renewed from time to time as said city council may direct.

Sec. 6. Be it further enacted, That a tax of one-fifth of one per cent. in addition to the per cent. of tax levied by the State for State purposes, shall be levied by the tax assessor of Etowah county on all property taxed by the State within the limits of said Gadsden school district for public school purposes, and shall file such assessment with the treasurer of said city of Gadsden at the same time and manner he files his assessments for the State and county taxes with the probate judge of Etowah county. And the tax collector of Etowah county shall collect said taxes in the same manner as he collects the taxes for the State and county, and the same remedies shall be used and employed by him for collecting such

taxes as are granted under the general law for collecting taxes for the State and county. The same power and jurisdiction as to this matter being granted and conferred on the probate judge and probate court of Etowah county to issue execution and condemn property, as they have in collecting and enforcing liens for State taxes. And said tax assessor and collector shall be allowed the same rate of commission for assessing and collecting such taxes as are allowed for assessing and collecting State taxes. And said tax collector shall pay over said taxes as he collects them to the city treasurer of Gadsden, taking his receipt therefor, and the tax assessor and tax collector shall be required to make settlements for such taxes with the city authorities of Gadsden, as they are required to make with the commissioners court of Etowah county for State and county taxes. And the same liabilities and remedies shall attach to their bonds for any default and dereliction of duty in this behalf as are given the State and county on their bonds for like default and dereliction.

Sec. 7. Be it further enacted, That said city council shall have power to elect a superintendent of the public schools of said district, who shall hold his office for two years. Such superintendent, before entering upon the duties of his office, shall take the oath of office prescribed by law, for such officers in this State and shall give bond with security in such sum as may be fixed by said city council and their successors, and conditioned as all other official bonds. Said bond shall be approved by said city council and filed in the office of the clerk of said city, and a certified copy thereof shall be filed with the State superintendent of education. All funds drawn by the city clerk by direction of said city council as heretofore provided, shall be received from the city treasurer by such superintendent on such warrants, and disbursed and accounted for by him in like manner, as is required by county superintendents.

Sec. 8. Be it further enacted, That said superintendent of public schools of the Gadsden School District, may be removed at any time, either by said city council or by the State superintendent of education, and when removed shall be ineligible to re-election during the time for which he was elected. All vacancies for the office of superintendent shall be filled by election by said city council, at any regular or special meeting calltd for that purpose, and the person so elected shall hold for the unexpired term, and shall qualify as above required. The said superintendent shall be commissioned by the State superintendent of education, and he shall receive such compensation, to be paid out of the fund provided for in this act, as said city council may fix. Said superintendent shall make full and complete reports to the said city council, and to the State superintendent of education, and perform such other duties as are required by law of county superintendents of education, not inconsistent with this act, and also such other duties as said city council may require, not inconsistent with this act, and the general laws of the State.

Sec. 9: Be it further enacted, That all moneys collected under this act from the white race, shall go to the support of the white schools, and all moneys collected from the colored race, shall be applied to the support of the colored schools, that shall be established in said school district, and to carry out the provisisions of this section, it shall be the duty of the tax assessor in making assessments under the provisions of this act, to note on the assesment book the race to which all property assessed belongs, and duty of the tax collector to report how much of said tax has been collected from each race.

Approved February 28, 1889.

No. 581.)

AN ACT

(H. 599.)

To repeal an act entitled an act to authorize and require the county superintendents of education of the counties of Lamar, Fayette and Marion to pay the teachers of public schools monthly.

Section 1. Be it enacted by the General Assembly of Alabama, That an act entitled an act to authorize and require the county superintendents of education of the counties of Lamar, Fayette and Marion to pay the teachers of public schools monthly, approved December 11th, 1886, be and the same is hereby repealed.

Approved February 28, 1889.

No. 609.)

AN ACT

(H. 512.)

To amend an act to create a separate school district in Coffee county, Alabama, and define the boundaries thereof, approved December 11, 1886.

Section 1. Be it enacted by the General Assembly of Alabama, That an act entitled an act to create a separate school district in Coffee county, Alabama, approved December 11, 1886, be and the same is hereby amended so as to read as follows: Section 1. That all that part of township three, range 20, east of Titi creek, and that part of township three, range twenty-one, on the west side of Double Bridges creek down south to the line of Geneva and Coffee, to the township line of three and four, between said creek, also from township line three and four; thence up little Double Bridges creek to Milburn creek; thence up Milburn creek to south boundary line of sections thirteen and fourteen; thence west along said line

to Titi creek; and thence down Titi creek to the county line, all in the county of Coffee, be and the same is hereby formed into a separate school district, to be known as the Titi district, for which a superintendent shall be appointed as provided by law for other school districts of this State.

Sec. 2. Be it further enacted, That said school district shall be in all respects managed and controlled as school districts as now provided by law for the school districts of the State.

Approved February 28, 1889.

No. 68)

AN ACT

(H. 154

To repeal an act entitled "an act to amend section eleven of an act to establish a separate school district, to be known as the Cullman School District in Cullman county, Alabama, and for the appointment of a Board of Trustees for said school district, with certain powers and privileges," approved February 28, 1887.

Section 1. Be it enacted by the General Assembly of Alabama, That an act entitled "an act to amend section eleven of an act to establish a separate school district, to be known as the Cullman School District, in Cullman county, Alabama, and for the appointment of a board of trustees for said school district with certain powers and privileges," approved February 28, 1887, be, and the same is hereby repealed.

Sec. 2. Be it further enacted, That this act shall take effect from its passage.

Approved December 10, 1890.

109)

AN ACT

(S. 66.

To constitute the City of Anniston a Separate School District and to provide a Board of Education therefor.

Section 1. Be it enacted by the General Assembly of Alabama, that the territory within the corporate limits of the City of Anniston shall be a school district separate and apart from the remaining districts in the county of Calhoun.

Sec. 2. Be it further enacted, That the public schools of the City of Anniston shall be under the control and management of a board of education, to consist of nine suitable persons to be elected by the mayor and city council of Anniston from the qualified electors of the city at its first regular meeting in March, 1891; and such board to be divided into three classes, three in each class. The first class shall hold office for a term of two years, the second class for four years, and the third class for six years, and biennially thereafter the city council shall elect the successors of the three members of the board whose term of office expires, and they shall hold office for a term of six years. Vacancies in said board caused by death, resignation or removal, shall be filled for the unexpired term by the city council. The board shall elect a chairman from its members who shall hold office for a term of two years. He shall have the right to vote upon all questions before said board, and shall have a casting vote where there shall be a tie.

Sec. 3. Be it further enacted, That each member of said board shall, upon his induction into office, take and subscribe an oath of affirmation faithfully to discharge the duties imposed upon him as a member of such board. A majority shall constitute a quorum for the transaction of business. The members shall receive no compensation.

Sec. 4. Be it further enacted, That said board may provide all rules, by-laws, or regulations necessary for the con-

duct of business that may come before it, and may elect a secretary, who shall hold office at its pleasure, who shall receive such compensation as such board may prescribe.

Sec. 5. Be it further enacted, That it shall be the duty of such board, annually, before the first day of May, to submit a statement to the mayor and city council aforesaid, showing the amount of money required for the support and maintenance of the public schools of the city for the next ensuing scholastic year, and for the erection, rental and repair of the necessary school buildings, together with a statement of the probable amount of money that will be received from the state school fund, or from any other source. When such statement shall have been made, the mayor and city council shall make an appropriation to supply whatever additional amount may be necessary, but it shall not be required to appropriate more than twenty per cent of the gross revenues of the city for such schools; but it may in its discretion appropriate larger sums, or make special appropriations for the erection, repair or rental of school houses; and all moneys whether received from the city or from the State, county or other sources, shall be placed by the city treasurer to the credit of such board of education, separate and apart from other funds in his hands, and it shall be disbursed as described by said board.

Sec. 6. Be it further enacted, That such board shall elect a superintendent of the public schools of such separate school district, who shall hold office for a term of two years, unless sooner removed, and he shall perform the duties and receive such salary as the board may prescribe. It shall also elect all teachers, fix their duties and compensation; prescribe the qualifications necessary to become a teacher in said schools, and said board, or a committee thereof, shall examine all applicants to teach in said schools, and from such applicants

it shall select such as may be considered best qualified to fill the positions of teachers. The board may provide all rules and regulations necessary for the conduct of such schools, and it may require the use of such text books as it may think proper.

Sec. 7. Be it further enacted, That said board of education shall have power to lease, purchase, build, furnish or keep in repair school houses; and all property, real or personal, now used by the mayor and city council of Anniston for school purposes shall vest in and be under the control of said board, and shall be used for the same purpose upon its organization.

Sec. 8. Be it further enacted, That said board of education shall receive its proportionate share of the public school revenue, including a pro rata share of the sixteenth section fund of each township which lies wholly or in part within said school district, and shall receive all the taxes collected as poll taxes within the said district for the use and maintenance of the public schools therein, and for the purpose herein authorized which said moneys shall be paid over to the treasurer of the city of Anniston, and shall be by him kept and disbursed as provided by section five of this act.

Sec. 9. Be it further enacted, That the superintendents of said schools shall attend to the taking of the school census (with such assistance as may be allowed him by said school board) whenever such census is required to be taken, and he shall make a full report of the same to said board and to the State superintendent of education.

Sec. 10. Be it further enacted, That said board of education shall have power to charge in the high school (if such be established) such incidental or other fees, as may be necessary for the proper conduct of such high school, but no fee shall be charged in any school of lower grade than the high school.

Sec. 11. Be it further enacted, That an act to constitute the town of Anniston a separate school district, approved February 3d, 1883, and any laws or parts of laws in conflict with this act, be and the same is hereby repealed.

Approved January 28, 1891.

113)

AN ACT

(H. 445)

To constitute the Town of Attalla a Separate School District and to provide for the management of the Public Schools of said District.

Section 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the city of Attalla, Etowah county, and the inhabitants thereof are hereby incorporated by the name of the School District of the City of Attalla.

Sec. 2. Be it further enacted, That said school district shall receive each year its proportionate share of the school fund coming to Etowah county, from whatever source derived and its proportionate share of the sixteenth section fund, and also all the taxes collected as poll taxes in said district, which fund and taxes and all other funds for the use of said school district, are to be controlled, managed and expended as hereinafter named.

Sec. 3. Be it further enacted, That a board of education, to be known as the board of education of said school district, is hereby appointed to consist of the mayor of said town, who shall be ex-officio president thereof, and four other persons, who for one year next preceding their election, shall have been bona fide residents of said town, and who shall be elected by the qualified electors of said district at the time the elec-

tion is held for mayor and aldermen of said town, and whose term of office shall be three years from the date of their election, and the election of said board shall be held by the inspectors appointed to hold an election for mayor and aldermen of said town, and the returns of said election shall be certified to said mayor and aldermen, who shall declare the result thereof.

Sec. 4. Be it further enacted, That the said board of education shall have the management and control of the public schools of said district, and of all moneys and property collected, donated or acquired for said school district, and of the expenditure and investment of said moneys as herein provided by this act, and said board shall also have power to create and appoint a board for the examination of applicants for positions as teachers in the public schools of said district, and no person shall be elected by said board of education as a teacher in any of said public schools who shall not have received a license from said board of examination. Said board of examination shall consist of such number of persons as may be deemed expedient by the board of education, and they shall serve as such at the pleasure of said board of education; Provided, that said board of education may, at its election, examine applicants for positions as teachers in said public schools and issue license to said teachers upon such examination; and provided further, that no person shall teach any of the public schools of said district who has not been elected by the said board of education.

Sec. 5. Be it further enacted, That said board of education shall elect from their body a secretary and treasurer thereof, and the treasurer, before entering upon his duties, shall make bond in such sum as the board may direct, with sufficient surety to be approved by the president of said board, payable to said school district, with condition faithfully to

discharge the duties of his office during his continuance therein; which bond shall be entered upon the minutes of said board, and also transcribed upon the records of the town of Attalla, and the original then kept by the said board in some safe and convenient place, and a certified transcript of the record of said bond from the minutes of said board or from the record of said town of Attalla, shall be presumptive evidence of the execution of said bond in all the courts of this State, in the event said bond should be lost.

Sec. 6. Be it further enacted, That a majority of said board of education shall constitute a quorum for the transaction of business, and a record shall be kept of all the official meetings, and if at any meeting the president of the board should be absent, the members present may elect a president pro tempore.

Sec. 7. Be it further enacted, That the treasurer of said board of education shall receive all moneys belonging to said school district and pay the same out only upon the warrant of the mayor of the town, and said mayor shall not draw a warrant for any of said moneys except upon the order of the board of education, and whenever called upon by said board, the treasurer shall make a report in writing of money received and paid out by him for and on account of said school district.

Sec. 8. Be it further enacted, That said board of education shall make a written report to the state superintendent of education on the first Monday in January and July of each year, of the condition of the schools in said district, the length of time they were open the past scholastic year, the number of pupils in attendance, the number of teachers, the value of school property, the amount paid for school houses or for repairing the same, the amount paid teachers, and the amount received from all sources the past scholastic year for the use of said school district, and of any other matter required by

law, and a duplicate of said report shall be filed with the mayor and aldermen of said town of Attalla, who shall at the expense of the town, cause the same to be published in some newspaper of said town.

Sec. 9. Be it further enacted, That the mayor of said town of Attalla, and the treasurer of said board of education shall at such time as may be fixed by the board, make report in writing to the board of education of the expenditure of the moneys of the school district, which report shall be submitted to the board for examination and shall be spread upon the minutes of the board.

Sec. 10. Be it further enacted, That the tax collector of the county of Etowah is hereby required to pay over to the treasurer of said board of education, all poll taxes collected within said school district, and the receipt of said treasurer under the seal of said school district shall be a valid voucher in the hands of said tax collector in his settlement with the auditor of the state, and the superintendent of education of said county is required to pay over to the treasurer of said board the pro rata share of said school district in the school fund of said county, and the marshal or person authorized to receive and collect taxes for the town of Attalla is required to pay over to said treasurer all such moneys as were collected by said marshal or other person for the use and benefit of said school district.

Sec. 11. Be it further enacted, That said school district, by its corporate name, shall have the power to sue and be sued, contract and be contracted with, shall have a common seal, to be kept by the secretary of said board of education, shall have the right to buy, sell, lease, receive by gift or devise, real and personal property for the use and benefit of the public schools of said town; shall contract for the erection of school houses in said district, which shall be located in such place or

places as will best serve the convenience of the children in said district, and change the location of said school houses whenever necessary, and the board of education herein provided for shall be the proper constituted authority for the purpose of executing and carrying out the powers and exercising the rights and privileges herein conferred upon said school district.

Sec. 12. Be it further enacted, That all children residing within said district between the ages of seven and twenty-one shall have the right to enter any of the public schools of said city free of charge, provided always that separate schools shall be established for the white and black races, and there shall not, in any event, be a mixture of the races in any of the public schools; and provided further, that the board of education, in its discretion, may assess an incidental fee of twenty cents per month for each pupil, which shall be paid before entering the school of said district, and the regulation as to payment of said incidental fee shall be made by said board of education; and provided further, that non-resident children of said district may be received as pupils in the schools of this district upon such terms as may be prescribed by the board of education.

Sec. 13. Be it further enacted, That no school house shall be built in said district without the character and style of said building and material to be used in the construction thereof shall first be submitted to the mayor and aldermen of said town, and the consent of said mayor and aldermen obtained.

Sec. 14. Be it further enacted, That nothing in this act shall be construed as in conflict with the constitutional duty of the state superintendent of education to exercise a supervision of the public schools of said district.

Sec. 15. Be it further enacted, That the members of the

board of education, before they enter upon their duties, shall each take and subscribe on oath to discharge their duties to the best of their ability, which oath shall be entered upon the minutes of said board.

Sec. 16. Be it further enacted, That all vacancies in said board shall be filled by appointment by the mayor and aldermen of said town of Attalla, and no person shall be appointed to fill a vacancy on said board who does not possess the qualifications required by this act, and all appointees to said board shall continue in office until the next ensuing election of a board of education.

Sec. 17. Be it further enacted, That the bond of the treasurer of said board may be increased or strengthened, or said treasurer required to make a new bond, whenever in the judgment of said board it is necessary, and the treasurer when required to make a new bond, or to give additional security upon his bond, shall do so within ten days after notice of such requirement, and failing so to do, his office as treasurer and as a member of said board thereby becomes vacant.

Sec. 18. Be it further enacted, That any member of said board removing from said district thereby vacates his office, and the fact of such removal being ascertained by the board, they shall declare said vacancy and notify the mayor and aldermen of said town thereof, and all other vacancies on said board shall also be certified to said mayor and aldermen.

Sec. 19. Be it further enacted, That all laws inconsistent with the provisions of this act be and the same are hereby repealed.

Approved February 4, 1891.

125)

AN ACT

(H. 164)

To establish a separate school district to be known as China Grove school district in Hale County.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district to be known as the China Grove School district, be and the same is hereby established, to consist of land known and described as follows: The west $\frac{1}{2}$ of Sections 21, 28 and 33, and all of sections 20, 29, 32, 19, 30 and 31 of township 23, range 6 east, and the east $\frac{1}{2}$ of sections, 23, 26 and 35, and all of sections 24, 25, and 36, in township 23, range 5 east, and also the west $\frac{1}{2}$ of section 4 and all of section 5 and 6 in township 22 range 6 east, in the county of Hale, be and the same is hereby constituted a school district separate and apart from the remainder of the townships from which the same has been taken, and shall be under the supervision of a district superintendent of public schools appointed by the county superintendent of education, with power to transact all matters pertaining thereto.

Approved February 2, 1891.

132)

AN ACT

(H. 314)

To establish the Cleveland School District in Blount county.

Section 1. Be it enacted by the General Assembly of Alabama, That the following described territory situated in the county of Blount shall constitute a separate school district, to be known as the Cleveland School District, to-wit: beginning where the meridian line crosses the Warrior; thence down

said river to the mouth of Dry creek; thence up said creek to the meridian line; thence east of the meridian, including sections nineteen (19) twenty (20) and the west half of section sixteen (16) and all of sections seventeen (17) eighteen (18) seven (7) eight (8) and all that part of section six south of the Warrior river; thence down said river to the place of beginning.

Sec. 2. Be it further enacted, That said district shall receive its pro rata of all public school revenues, and shall be managed and controlled as prescribed by law for other school districts in said county.

Sec. 3. Be it further enacted, That this act shall not take effect until the first day of October, 1891.

Approved February 2, 1891.

No. 203)

AN ACT

(H. 38

To provide for the better support and maintenance of the Public Schools of Jefferson county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That the commissioners court of Jefferson county, Alabama be, and they are hereby directed and required to levy and have collected under the laws of this state for the year 1891, and each year thereafter, a tax of five cents on the one hundred dollars worth on the value of all taxable property in said county, as assessed for revenue for the state, for the support and maintenance of the public schools in said county, as hereinafter provided.

Sec. 2. Be it further enacted, That it shall be the duty of the tax collector of said county to pay over to the county treasurer, as herein provided, all moneys collected by him,

and on hand, under the provisions of this act, on the first day of January of each year, and on the first day of each month thereafter, until the same shall have all been paid.

Sec. 3. Be it further enacted, That it shall be the duty of the county treasurer of said county to keep a separate account of all funds paid to him to the credit of the public schools, and it shall be unlawful for any of said public school fund to be used for, applied, or appropriated to any other use whatsoever.

Sec. 4. Be it further enacted, That it shall be the duty of the county superintendent of education to furnish by the first day of October of each year to the county commissioners, the census of the school children, taken under the laws of Alabama, showing the number of children within the school age of the several townships, and separate school districts within said county.

Sec. 5. Be it further enacted, That the county commissioners shall, as soon as practicable, after the assessment of taxes, and the receipt of the census provided for in section 4 of this act, in every year, determine what amount of such school fund shall be appropriated to the several townships, and separate school districts in said county; and the amount so determined shall be in exact proportion to the number of children in such township or separate school district, as shown by the last census taken of school children under the laws of this State, next before such action of the county commissioners; and they shall furnish the county superintendent of education, and the treasurers of incorporated towns or cities having and maintaining public schools under special school laws, the amount of such school fund, apportioned by them to the several townships, separate school districts and incorporated towns or cities. And upon such determination it shall be the duty of the county treasurer to pay the county superintendent of education the amounts allowed by the com-

missioners court for the several townships in said county, and to the treasurers of incorporated towns or cities within said county having a separate school district or schools managed or controlled by such town or city authorities, the money allowed by the commissioners court for such incorporated towns or cities. Such payments to be made upon the warrant of the probate judge of said county; and money thus paid shall be used exclusively for the support and maintenance of the public schools within the respective townships and separate school districts, and for no other purpose, and under the laws of the state governing the disbursement of other school funds.

Sec. 6. Be it further enacted, That the county superintendent of education shall be paid, in addition to the compensation now fixed by law, such amount as the court of county commissioners may deem to be just and fair, but in no case to exceed one per cent of all the funds disbursed by him under this act.

Sec 7. Be it further enacted, That for taking the census of school children as now provided for by the laws of Alabama, the township superintendent shall be allowed as compensation therefor, out of the fund provided for in this act, such sums as may be prescribed by the commissioners court, not to exceed ten dollars for any one enumeration.

Sec. 8. Be it further enacted, That the tax assessor and tax collector of said county shall respectively assess and collect said taxes without any additional compensation.

Approved February 7, 1891.

No. 204)

AN ACT

(H. 691

To create a Separate School District in Cherokee county, and to define the boundaries thereof.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district be established in Cherokee county, State of Alabama, with the following described boundaries, to-wit: commencing on the bank of the Coosa river at Cobbler's wood-yard, running nearly east to the colored baptist church, called Mt. Ollee; thence northeast to John M. Rankins; thence north down the Hick branch to Coosa river; thence down said river, the river being the line, back to the starting point; said district being composed of the N. W. corner of township 11, range 9, S. W. corner of township 10, range 9, S. E. corner of township 10, range 8, and N. E. corner of township 11, range 8, to be known as Wood's Bend School District, for which a superintendent shall be appointed by the county superintendent of education of Cherokee county.

Sec. 2. Be it further enacted, That the said separate school district shall receive all the tax collected as poll tax within the limits of the territory set forth, and the county superintendent of education shall set apart from the school fund, and disburse and use such pro rata share exclusively for the maintenance of the public schools of said separate school district.

Approved February 7, 1891.

No. 267)

AN ACT

(H. 758)

To amend section two of an act entitled an act to create a separate school district in Marion and Lamar counties, and to define the boundaries thereof, approved February 27th, 1889.

Section 1. Be it enacted by the General Assembly of Alabama, that section two of an act entitled an act to create a separate school district in Marion and Lamar counties, known as the Stucky school district, and to define the boundaries thereof, approved February 27th, 1889, be amended so as to read as follows;

Sec. 2. That said school district shall be in all respects managed and controlled as a school district as now provided by law for the school districts in this state; Provided, That the tax assessor of Marion and Lamar counties shall note the poll tax belonging to said school district.

Approved February 11, 1891.

No. 277)

AN ACT

(S. 261)

To amend sections two and seven of an act entitled an act to constitute the city of Montgomery a separate school district.

Section 1. Be it enacted by the General Assembly of Alabama, That section two of an act entitled an act to constitute the city of Montgomery a separate school district, and approved on the 28th day of February, 1889, be and the same is hereby amended so as to read as follows, to-wit:

Sec. 2. Be it further enacted, That it shall be the duty of

the city county of Montgomery, as soon as practicable after each municipal election every two years, to elect a board of school examiners who shall be qualified electors and reside in said city, and who shall not be members of said city council. Said school examiners shall hold their offices, except as hereinafter provided, for the term of four years and it shall be the duty of the said examiners to prescribe and pass upon the qualifications of all persons who are applicants to teach in the public schools of said city, including the city superintendent of said schools, and before each annual election of teachers to present to the city council the names of all applicants who have been found qualified by them to teach in said public schools, together with their recommendations touching the same, and out of the names thus presented, the council shall select teachers for said public schools; but the said city council shall have the right, in their discretion, to reject any or all nominations made by said board of examiners. In the event that out of the names thus presented to the council the requisite number of teachers is not elected, it shall be the duty of said examiners as soon as practicable thereafter, and before the beginning of the succeeding scholastic year, to nominate to the council other applicants qualified to teach in said public schools, from which names the requisite number of teachers is to be elected by said council. At the election of said school examiners to be held in May 1891, six members of said board of examiners shall be elected by said city council, three of whom shall hold their offices for the term of four years and three for the term of two years, the city council to determine as it may see proper, to which class each member so elected shall belong, whether to the class whose term expires in four years or to the class whose term expires in two years, and at each biennial election thereafter, the

said city council shall elect three members of said board of examiners who shall hold their offices for four years and until their successors are duly elected and qualified. Said board of examiners may hold annual competitive examinations of applicants for positions as teachers in the public schools of said city, including teachers in the schools who are candidates for re-election, and shall have power to grant certificates of qualifications of different grades, to all applicants who pass examinations, and said board of school examiners shall have the power to adopt such by-laws, rules and regulations as they may deem proper and not inconsistent with the laws of this state, for the government of said board and of all proceedings before it pursuant to the provisions of this act.

Sec. 2. Be it further enacted, That section seven of said act be and the same is hereby amended so as to read as follows, to-wit: Sec. 7. Be it further enacted, That the superintendent of said public schools shall personally overlook and supervise and manage the said public schools under the direction of said city council; shall attend to the taking of the school census (with such assistance as may be allowed him by the city council), which census shall be taken for said city in the month of April of each odd year, and it shall further be the duty of said superintendent to make full and complete reports to the state superintendent of education and to said city council.

Approved February 12, 1891.

To establish a separate school district in the City of Eufaula, Barbour county, Alabama, and to provide means to support said separate school district.

Section 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the City of Eufaula, in Barbour county, State of Alabama, shall constitute a school district separate and distinct from the remaining school districts and parts of districts of said county of Barbour.

Sec. 2. Be it further enacted, That the public schools of the city of Eufaula shall be under the management of a city board of education consisting of five members to be elected annually by the city council of Eufaula at their first meeting in January in each year, one from each ward of the city at large who shall serve without pay.

Sec. 3. Be it further enacted, That the management and supervision of the public schools in said school district shall be under the city superintendent of education, with such salary as the city board of education may determine to be paid out of the city treasury as other city officers are paid; the city superintendent of education shall be elected by the city board of education, and the city superintendent shall be under the superintendent of education as the county school officers are.

Sec. 4. Be it further enacted, That the city superintendent shall take general supervision of the public schools in the city, make full and complete reports to the superintendent of education as the law requires of county superintendents of education, and perform such other duties as are required by county superintendents under the general school laws.

Sec. 5. Be it further enacted, That the City of Eufaula as such school district shall receive its proportionate share of the public school fund including the pro rata share of the

sixteenth section fund of each township that lies partly within the corporate limits of the city and shall also receive all moneys which are, or may be collected from license from the sale of liquor in beat five in Barbour county, all such funds to be drawn from the proper authorities, and disbursed by the city superintendent of education in the same manner as county superintendents of education draw and disburse funds for their respective counties, and the amounts thus drawn by the city superintendent of education shall be used exclusively for the maintenance of the free public schools in the city.

Sec. 6. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved February 14, 1891.

408)

AN ACT

(H. 732)

To Establish three separate school districts in Cullman county, to be known as the Jones Chapel School district, the County Line School District, and the Good Hope School District in Cullman county, Alabama, and to provide for the election of a board of trustees for each of said school districts with certain duties and powers.

Section 1. Be it enacted by the General Assembly of Alabama, That three separate school districts, to be known as the Jones Chapel School District, the County Line School District, and the Good Hope School District, in Cullman county, Alabama, be, and the same are hereby established, which districts shall be composed and consist of all that territory within the following named boundaries, to-wit: First, Jones Chapel School district, commencing at Crooked creek,

where the township line between townships 9 and 10 crosses said Crooked creek, thence running northerly up said creek to where it crosses the section line between sections 24 and 25 in township 9, range 5 west, thence due west along said section line to the corner of sections 22, 23, 26 and 27 in said township, thence north one-half mile, thence west to Jones creek, thence westerly down said Jones creek to Blevins creek, thence southerly down said Blevins creek about four miles to where said creek crosses the section line between sections 8 and 17, in township 10, range 5, west; thence east along said section line to Crooked creek, thence northerly up said Crooked creek to point of beginning, being in township 9 and 10, range 5 west. Second. County Line School District—Commencing at the Cullman and Morgan county line at the northwest corner of section 34, in township 8, range 2, west; thence south one and one-half miles, thence east through the middle (or along the half-section line) of sections 3, 2 and 1 of township 9, range 2, west; thence on straight line three-fourths through the center to section 6, township 9, range 1, west; thence north one-half mile to the township line between townships 8 and 9, thence east along said line one mile; thence north one-fourth mile; thence west one-fourth mile; thence north three-fourths mile to said Cullman and Morgan county line; thence west along said county line to point of beginning, being in townships 8 and 9, range one west, and townships 8 and 9, range 2 west. Third. Good Hope School District—Commencing on the township line between townships 10 and 11, at the half mile stake of section 3, township 11, range 3 west; thence west along said township line to the Cullman and Bremen road; thence north along said road to the Houston and Cullman road near the residence of Charles Knester, thence west along said road to the iron bridge on Big creek; thence down said creek to the mouth of

Ryan's creek, thence up said Ryan's creek to the range line between ranges 3 and 4 west; thence south along said range line to the southwest corner of section 18, thence east to the half mile stake between sections 15 and 22; thence north to the point of beginning.

Sec. 2. Be it further enacted, That the educational affairs of each of said school districts shall be under the control of a board of trustees consisting of three persons in each school district, elected as hereinafter provided, which board shall have the authority to locate and establish in each of the above named districts one permanent school so as to accommodate as many of the youth as possible; in said school district to grade said schools, employ teachers, and to make such rules and regulations for said school districts as to them may seem best, and not in conflict with the laws of the State of Alabama. The state superintendent of education shall furnish each of said boards such books and blanks as are furnished county superintendents of education.

Sec. 3. Be it further enacted, That each of the said school district shall be entitled to receive its proportionate share of all the funds raised or appropriated by the State for public schools, and shall also receive its pro rata of the sixteenth section interest accruing to the townships from which said district is composed, and it shall receive all poll tax which may be collected from residents of said school district, and all funds which may be donated to said district. All funds for each of the said school districts shall be paid to the treasurer of the district, who shall receipt for the same; and the superintendent of education of the state, or other proper state officer, shall give the necessary orders and instructions and issue the necessary warrants or certificates to secure the payment of each of said school districts of all funds to which it may be entitled from the state or from poll tax, direct to the treasurer of the district.

Sec. 4. Be it further enacted, That within thirty days from the approval of this act it shall be the duty of the superintendent of education of Cullman county to appoint three qualified electors in each of the said school districts to hold an election at some public place in each of the above named school districts, to choose three trustees for each separate school district after they have first given ten days notice of the time and places of holding the same, by posting notices of such elections at three public places within each of said school districts; Provided, that such elections are held without expense to Cullman county, or the funds of said school district. On the day appointed for such elections, the persons appointed by the county superintendent of education to hold the same or any two of them, shall cause such elections to be held by ballot, within the hours advertised for such elections, and at the hour advertised in the notices of such elections for the same to close, shall close the elections and announce the results of the same, and certify the names of the persons elected to the county superintendent and the state superintendent of education.

Sec. 5. Be it further enacted, That the trustees so elected shall hold office until the first day of October, 1891, or until their successors are duly elected and qualified. That no one but a free holder who shall also be a qualified elector shall be eligible to be elected as a member of said board, and no one shall be allowed to vote at the elections of said boards who is not a qualified elector under the laws of the state. The trustees shall receive no compensation for their services, except such privileges and benefits as is by law given to township trustees.

Sec. 6. Be it further enacted, That within ten days before the first day of October, 1891, the board of trustees of each of the above named districts shall appoint three persons in

each of their respective districts to hold an election for trustees for the said school districts for the ensuing two years, of which notice shall be given as provided in section three of this act, and which elections, and all subsequent elections shall be held according to the provisions of section three of this act.

Sec. 7. Be it further enacted, That the trustees and treasurers of said school districts shall take the oath of office prescribed by law, for all officers in this state, before entering upon the duties of their offices, and immediately thereafter, shall proceed to organize by electing one of their number president of the board, and by electing one suitable person, whether a member of the board or not, as secretary of the board, and treasurer of the district, which offices may be held by one and the same person if the board so elects. The term of service of the treasurer and secretary shall be during the continuance in office of the board which elects them, but they may be removed by the board at any time. The board shall require of the treasurer a bond in such amount as may be fixed by them not less than double the amount of funds that may be in his custody at any one time, payable to the school district of which he is treasurer, and conditioned to safely keep, and to disburse according to law all money that may come into his hands as treasurer of the school district, which bond shall be approved by the board and filed with the president of the board, and a copy of the same certified by the president and secretary of the board shall be filed in the office of the state superintendent of education. The treasurer shall receive two per cent of all funds disbursed by him, as compensation for his services.

Sec. 8. Be it further enacted, That this act shall take effect from the date of its approval; Provided, that any pro rata balance remaining in the hands of the county superinten-

dent of education of Cullman county for the scholastic year ending September 30th, 1891, from said townships from parts of which said school districts are composed, shall be paid to the treasurers of said school districts; And provided further, that the trustees of said school districts shall not have power to alter or enange any contracts with teachers within any territory composing any of said school districts, in existence at the time of the approval of this act.

Sec. 9. Be it further enacted, That the said boards of trustees shall make annual reports to the superintendent of education, the same as is required of county superintendents.

Sec. 10. Be it further enacted, That when this act is silent or does not make provisions in conflict with the existing laws of the state for the government of township trustees, such existing general provisions of the law shall govern the actions of the board of trustees of said school districts.

Sec. 11. Be it further enacted, That all laws and parts of laws in conflict herewith, be, and the same are hereby repealed.

Approved February 18, 1891.

No. 420)

AN ACT

To create a separate school district in the county of St. Clair, to be called Cook's Springs Public School District, and to define the boundaries thereof.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate public school district be and the same is hereby created in the county of St. Clair to be known and called Cook's Springs Public School District, and that the boundaries of such district be known and designated as fol-

lows, to-wit: Commencing at the top of Backbone mountain in St. Clair county at Elbow Gap, and where the public road passes through or over said gap, thence in a southwesterly direction along and with the line dividing election precincts three and sixteen in said county to where the same intersects the township line between townships sixteen and seventeen, thence west along and with said township line to the northwest corner of said township seventeen of range two, east; thence south along and with the western boundary of said township seventeen to the southwest corner thereof; thence east along and with the southern boundary of said township seventeen to the southeast corner thereof; thence north along and with the eastern boundary line of said section seventeen to where the same intersects the line dividing election precincts fourteen and sixteen in said county, thence in a northern direction along and with said precincts line to the residence of Mrs. Stevens near the Truss ferry public road, thence in a northwesterly direction to the late residence of Harrison Cowan near Cane creek, thence in a straight line in a northwesterly direction to the beginning point.

Sec. 2. Be it further enacted, That said separate school district shall receive its share of the free public school fund of this state, as provided for by law, in proportion to the numbers of children within the educational age residing in said school district.

Sec. 3. Be it further enacted, That the superintendent of the free public schools in said township seventeen of range two, east, shall discharge the duties of superintendent of said Cook's Springs School District until his successor is appointed or elected and qualified.

Approved February 18, 1891.

tenance of the public schools of the city for the succeeding scholastic year, and for the erection and repair of the necessary school buildings, and the board of mayor and aldermen of said city may make provision to supply the funds required in said estimate from any surplus money on hand.

Sec. 11. Be it further enacted, That all funds devoted to public school purposes in the city of Girard, whether derived from the state, county or city, shall be paid into the treasury of said city as a separate school fund and shall be disbursed in such manner as the board of education may direct; that not more than four per cent. of the money derived from the state, shall be used otherwise than for the payment of teachers employed in such schools.

Sec. 12. Be it further enacted, That the public schools established in conformity to this act, shall be entitled to the proportional share of the state school fund according to the number of children in the corporate limits of said city, of the educational age, and also to the whole amount of poll tax collected in said city.

Sec. 13. Be it further enacted, That it shall be the duty of the board of education, herein provided for, to take or cause to be taken, the enumeration of the children within the educational age in the corporate limits of said city, and report the same to the county superintendent of education of Russell county, and to the superintendent of education for the state, at the times and under the rules now provided by law for the government of township trustees. And the state superintendent shall apportion, and the county superintendent shall pay to the proper officer the proportionate part of the public school fund, to which said city shall be entitled as herein provided for.

Sec. 14. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved February 18, 1891.

No. 449)

AN ACT

(S. 490

To establish an industrial school in the State of Alabama for the destitute children, descendants of Confederate soldiers and sailors.

Section 1. Be it enacted by the General Assembly of Alabama, That there shall be established in this State an institution for the education in the industrial arts and sciences of the destitute children of the State who are descendants of Confederate soldiers and sailors. Such institution shall be located at Springville in St. Clair county, in this State, and shall be known as the Confederate Children's Industrial School.

Sec. 2. Be it further enacted, That the governor of the State, the State superintendent of education, and seven other persons, six of whom are to be appointed by the governor, the seventh one to be Miss Aula Moore during her life, and after her death the seven are to be appointed by the governor, are made a body corporate, with the rights of succession forever, by the name of the Confederate Children's Industrial School; and such corporation may acquire and hold property, real and personal, by gift, devise, or in any other manner, for the purposes of its creation; may sue and be sued, contract and be contracted with; may have and use a common seal, and break or alter the same at pleasure; and may have all the powers necessary and proper to accomplish the purposes for which this institution is established.

Sec. 3. Be it further enacted, That the officers and persons named in the second section of this act, and their successors, shall constitute the board of trustees of such institution, and they shall select and purchase the site therefor, within, or within one mile of Springville, and erect the

necessary buildings, and purchase the necessary apparatus, machinery and appliances, and other necessary equipments for such institution; and such board of trustees is hereby further fully empowered to manage and control the affairs of such institution, employing teachers, instructors and all other such officers, agents, employees and servants as they may deem necessary; to establish, promulgate and enforce all such rules and regulations as may be necessary; to fix the powers and assign the duties of all persons connected with the institution, and to require bond of such officers, agents or employees, with surety thereon, in such amount and with such conditions as they may deem proper; and generally to do such other and further things in the management of such institution, as may be convenient or necessary, not in violation of the laws of the country.

Sec. 4. Be it further enacted, That during the life of Miss Aula Moore, six of such trustees shall be appointed by the governor of the State, two to hold office for two years, two for four years, and two for six years, from the date of their appointment, and thereafter the governor shall fill the vacancies on such board as the terms of the trustees expire; and after the first appointment each trustee shall be appointed for the period of six years. If any vacancy occurs on said board among those appointed by the governor, he shall fill the vacancy by appointment. All appointments as trustees shall be sent to the senate then in session or next in session, for confirmation, and the appointees shall be confirmed or rejected by the senate. If any are rejected, other names shall be submitted by him until a confirmation is made. One of the trustees to be appointed by the governor shall reside in the county of St. Clair. Upon the death of Miss Aula Moore her successor or trustee shall thereafter be appointed by the governor, and the first appointee shall hold office for six years and the period from the time of his or her appointment:

to the date of the expiration of the term of office of the trustees, whose terms first thereafter expire.

Sec. 5. Be it further enacted, That a majority of said board shall constitute a quorum, and they shall meet at the institution at least twice in every year and at such other place or places in the state as often as they may deem necessary, and at such meetings, they shall transact any business connected with the institution. Every two years the board shall elect a president thereof from among its members, and all vacancies in the presidency of the board shall be filled by the board. The board shall keep a free and complete record of all its proceedings, and of all the history of the institution, and of all its accounts and financial operations, and of the reports of its officers and agents; and the board of trustees shall make a full historical and financial report of the institution to the governor every year and he shall lay the same before the next succeeding general assembly.

Sec. 6. Be it further enacted, That the board of trustees may select from their number an executive committee of three, subject to change and removal by a majority of the board, outside of those constituting the committee, at any time, and such committee is authorized to meet and transact any business that may be transacted by the board, and whatever acts done by such committee shall be considered as done by the whole board. The board shall meet on the call of the governor or president of the board, or any three of the trustees, if the governor and president should both refuse to call a board meeting; such called meeting to be held at the place provided in the call.

Sec. 7. Be it further enacted, That the main object of the institution shall be to afford means of education in the industrial arts and sciences to destitute descendants of confederate soldiers and sailors. Application for admission

must be made to the board of trustees in writing, and must state name, age and place of birth, and present residence of the applicant, the relationship, name and financial circumstances of applicant's nearest relative living, and the names of the applicant's ancestors who were confederate soldiers, and that the applicant is in destitute circumstances. Such application shall be indorsed by the judge of probate of the county of the applicant's residence, which indorsement shall state the judge's belief as to each fact stated in the application, and that the applicant is worthy to become a pupil in the institution. Such applications shall be considered by the board from time to time, and such number of applicants as the institution can support shall be appointed as the institution can maintain, having regard to a proper distribution of the appointed among the several counties of the State; preference shall in all cases be given to those who have been only one year at the institution, but no pupil shall be received into the institution who at the time of his appointment is over twenty years old, and no child shall be received into the institution who at the time of his appointment is over twenty years old, and no child shall be received as a pupil who is under two years old.

Sec. 8. Be it further enacted, That the board of trustees shall have power to admit pay students into the institution upon such terms as they may think fit, but no pay pupil shall be allowed to the exclusion of a destitute one.

Sec. 9. Be it further enacted, That nothing in this act shall be taken or held as making the school herein provided for a State school or as incurring any liabilities on the part of the State of Alabama for establishing or maintaining said school.

Approved February 18, 1891.

No. 472)

AN ACT

(H. 376)

To create a separate school district of certain fractional townships in Dallas county.

Section 1. Be it enacted by the General Assembly of Alabama, That those portions of township sixteen, range ten, and township sixteen, range eleven, which lie south and east of the Alabama river in Dallas county, be and the same are hereby constituted a separate school district.

Sec. 2. Be it further enacted, That the said separate school district be under the jurisdiction of a superintendent, to be appointed by the superintendent of education of said county, as other township superintendents are appointed, with the same powers, duties and rights, as other township superintendents have and exercise.

Approved February 18, 1891.

No. 480)

AN ACT

(H. 11)

To establish a separate school district in Dale county, Alabama, to be known as the Deans School District.

Section 1. Be it enacted by the General Assembly of Alabama, That there is hereby created in Dale county, Alabama, a separate school district to be known and called Deans School District in the territory bounded and described as follows, viz: Beginning at the northeast corner of section six, township seven, range twenty-four, in said county of Dale, thence south to the southeast corner of section eighteen, in said township and range, thence west to the southwest corner of section thirteen, thence north to the northwest corner of said section thirteen, thence to the northwest corner of

section eleven, in said township and range, thence west to the southwest corner of section four, in said township and range, thence north to Pea river, thence northeast with said river to the Barbour county line, thence east along said line to the point of beginning.

Sec. 2. Be it further enacted, That the county superintendent of education of Dale county, shall appoint three trustees for said school district, who shall perform all the duties now incumbent on township superintendents as to public schools in said district, and the said county superintendent of education shall apportion to said school district the school funds in the same manner as is now provided by law for township and other school districts, and said school district shall in all respects be governed and controlled as townships now are.

Approved February 18, 1891.

No. 484)

AN ACT

(H. 991

To create a separate school district in the city of Florence, Alabama; to define the boundaries thereof, and provide for the maintenance of schools therein.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district be and the same is hereby established in the city of Florence, the boundaries of which shall be the corporate limits of the city of Florence.

Sec. 2. Be it further enacted, That the mayor and aldermen of the city of Florence are hereby authorized and empowered to elect trustees and prescribe their duties and powers; to authorize them to receive, hold, transmit and convey the title to real and personal property, and to do and perform such other duties as may be deemed advisable, for

the purpose of establishing and maintaining, in said limits, a school or schools, or a system of graded schools.

Sec. 3. Be it further enacted, That the said mayor and aldermen of the city of Florence are hereby authorized and empowered to adopt and enforce such ordinance or ordinances as may be deemed advisable for the full establishment and maintenance of said school or schools, or a system of schools, also to erect, equip and maintain such buildings and premises as may be advisable for the same; Provided, that nothing in this act shall be construed to limit or abridge the powers already conferred by law upon the said corporate authorities of said city.

Sec. 4. Be it further enacted, That said school district shall be entitled to receive its proportionate share of all funds raised or appropriated by the State, for public schools; also its proportionate share of the sixteenth section fund accruing to the township of which said school district is a part, and it shall receive all poll tax which may be collected from residents of said school district, and all funds which may be donated thereto.

Sec. 5. Be it further enacted, That until the said corporate authorities of said city shall provide some other bonded officer for that purpose, the treasurer of said city shall receive and disburse all funds of said district, shall keep said funds and the accounts thereof separate from the general funds of said city, and for any default therein he and his sureties shall be liable, as for the general funds of said city.

Sec. 6. Be it further enacted, That the State superintendent of education, or other proper officer of the State, shall give the necessary orders and instructions and issue the necessary warrants and certificates to secure the payment to the treasurer of the city of Florence, or to such other of-

ficer as said corporate authorities shall designate, all funds to which said district may be entitled.

Sec. 7. Be it further enacted, That the mayor and aldermen of the city are hereby authorized and empowered to levy and collect a tax upon the property within its limits, for the maintenance of said schools, to such amount as said corporate authorities may deem advisable within constitutional limits.

Approved February 18, 1891.

No. 539)

AN ACT

(H. 645

To divide township 6, range 14, in Covington county into two school districts.

Section 1. Be it enacted by the General Assembly of Alabama, That township 6, range 14, in Covington county, be and the same is hereby divided into two school districts.

Sec. 2. Be it further enacted, That Pigeon creek shall be the dividing line between said districts, and the territory lying east of said creek in said township shall constitute one district, and the territory lying west of said creek in said township shall constitute the other district, and each district shall be under the supervision of a district superintendent of public schools, appointed by the county superintendent of education, with power to transact all matters pertaining thereto.

Approved February 18, 1891.

No. 557)

AN ACT

(H. 857

To amend section 2 of an act to amend an act entitled an act to create a separate school district in Jackson county to be known as Pleasant Grove, out of part of township 5, range 6, east, approved February 15th, 1889.

Section 1. Be it enacted by the General Assembly of Alabama, That section 2 of an act to amend an act entitled an act to create a separate school district in Jackson county, to be known as Pleasant Grove, out of a part of township 5, range 6, east, approved February 15th, 1889, be amended so as to read as follows:

Sec. 2. Be it further enacted, That the persons now discharging the duties of trustees of said school district shall continue to act as trustees thereof until the first Monday in August, 1891; at which time, and every two years thereafter, the trustees for said school district shall be elected by the qualified voters of said district, who shall hold their office for two years; and none but a parent or guardian shall be eligible to said office. The said trustees before entering upon the duties of said office shall take an oath faithfully to discharge the duties of the same, and shall give bond and security in such sum as shall be prescribed by the county superintendent of education payable to said township, which sum shall not be less than double the amount that will probably be in the hands of said trustees at any one time, and to be conditioned faithfully to discharge the duties of said office and to pay over to the person authorized by law to receive the same, all moneys coming into their hands, as such trustees and belonging to the said school district or to the remaining part of said township 5, range 6, said bonds to be approved by the county superintendent of education, and the judge

of probate (and a copy thereof filed in the office of said judge of probate) and a certified copy thereof filed in the office of the superintendent of education for the State in Montgomery. In case of vacancy in said board of trustees, the remaining members thereof shall proceed to fill said vacancy by appointment to fill out the unexpired term. Said trustees shall be exempt from poll and road duty.

Approved February 18, 1891.

No. 601)

AN ACT

(H. 929)

To establish a separate school district in Cherokee county, and to define the boundaries thereof.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as Maple Grove School District, subject to the public school laws of the State of Alabama, be and the same is hereby formed out of that part of township (11), range (8), north of Coosa river; also a part of township (10), range (8), Cherokee county, to-wit: Beginning at the mouth of the Matthews branch on T. (10), R. (8), running north to the public road known as the Centre and Gadsden road; thence west along said road to Hollis creek; thence south along said creek to the Coosa river; thence up said river to the starting point. Said district to be composed of all that part of T. (11), R. (8), lying north of Coosa river in what is known as Pollards bend, and all that part of T. (10), R. (8), lying south of the Gadsden and Centre road.

Sec. 2. Be it further enacted, That the county superintendent of education of Cherokee county shall appoint three trustees who are resident householders of said district, who

shall serve until the next election provided for by law for the election of township trustees in Cherokee county, at which time the qualified electors of said district shall elect three trustees who shall be resident householders of said district; said trustees shall be governed by the laws governing township trustees.

Sec. 3. Be it further enacted, That the county superintendent of education of said county shall set apart from the public fund of said county the pro rata share of the school fund and the poll tax collected in said district, together with the interest of the sixteenth section fund, to the schools as provided in the laws governing the public schools of the State of Alabama.

Approved February 18, 1891.

No. 92)

AN ACT

(H. 153

To create a separate school district to include the town of Thomas, in Jefferson county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate public school district is hereby created to include the town of Thomas, and to include therein the following boundaries, to-wit: The east half of the north-west quarter and the north-east quarter of section thirty-two; and the north-west quarter of section thirty-three; and the north-west quarter of the north-east quarter of section thirty-three, all in township seventeen, range three, west; and the south-east quarter, and the east half of the southwest quarter, and the north-east quarter, and the south-east quarter of the north-west quarter of section twenty-nine, in township seventeen, range three, west; and the southwest quar-

ter, and the west half of the southeast quarter and the west half of the north-east quarter, and the north-west quarter, and the west half of the north-east quarter of the north-east quarter, and the west half of the south-east quarter of the north-east quarter of section twenty-eight, township seventeen, range three, west; and the southwest quarter and the south-east quarter of section twenty-one, in township seventeen, range three, west; and the south-east quarter of the south-east quarter of section twenty, in township seventeen, range three, west, all in Jefferson county, Alabama.

Sec. 2. Be it further enacted, That all the poll tax collected from persons residing within the above described territorial limits, shall be collected for and applied to the keeping up of the public schools in said separate school district, and that the said school district shall also receive its pro rata share of all other public school funds which are appropriated or otherwise raised for the support of the public schools in the county of Jefferson.

Approved Dec. 12, 1892.

No. 156)

AN ACT

(H. 395

To establish Bowen School District, in Henry county.

Section 1. Be it enacted by the General Assembly of Alabama, That the following described territory situated in the county of Henry shall constitute a separate school district, to be known as the Bowen School District, to-wit: Commencing where Fatty creek empties into the Choctawhatchee river, thence up said creek to where it strikes the south line of section 2; township 7, range 27, thence east along said line to the center of section 5, township 7, range 28, thence north one mile to the township line between township 7 and town-

ship 8, thence west along said line one-half mile, thence north along the line between sections 31 and 32, in township 8, range 28, one mile, thence west three-quarters of a mile along the line between sections 30 and 31, in township 8, range 28, thence north to Hayne's branch, thence west along said branch until it intersects Cowpen creek, thence down said creek to the Choctawhatchee river, thence down said river to the starting point.

Sec. 2. Be it further enacted, That said separate school district shall be under the supervision of three trustees appointed by the county superintendent of Henry county, with the same powers, duties and rights as other township trustees.

Approved Feb. 8, 1893.

No. 159)

AN ACT

(H. 489

To establish a separate educational school district, to be known as District No. 4, in Coffee county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district to be known as district No. 4, in Coffee county, be, and the same is hereby established. To consist of lands known and described as follows: Bounded north by township line between township (3) three and (4) four, of range (29) twenty-nine, on the east by the section line of section (5) five and (8) eight, on the south by south line of section (7) seven and (8) eight, township (3) three, range (19) nineteen, east to Pea river, on west by Pea river, embracing all the territory on the east side of Pea river in township (4) four, range (19) nineteen, in Coffee county, be and the same is hereby constituted a school district separate and apart from the remainder of the township from

which the same has been taken, and shall be under the supervision of a district superintendent of education with power to transact all matters pertaining thereto under the law.

Approved Feb. 8, 1893.

No. 212)

AN ACT

(S. 322

To establish a separate school district in Lauderdale county, to be known as the Waterloo School District.

Section 1. Be it enacted by the General Assembly of Alabama, That the following described territory in the county of Lauderdale shall constitute a school district separate and apart from the remaining school districts in said county, namely: Begin on the Tennessee river at the east line of fractional section number five, of fractional township number two, range number fourteen, running north to the north-east corner of section number thirty-three, township number one, range number fourteen, thence west to the north-west corner of section number thirty-five, township one, range fifteen, thence due south to the Tennessee river, thence up said river to the place of beginning, to be known as the Waterloo School District.

Sec. 2. Be it further enacted, That such school district shall receive its proportionate share of the public school revenue, including a pro rata share of the sixteenth section fund of each township that lies partly within the said school district, and shall also receive all the poll tax collected within the limits of said district, and the superintendent of education of Lauderdale county shall set apart from the public school revenues of the county, and disburse and use such pro rata share exclusively for the maintenance of the public schools in said district of Waterloo.

Sec. 3. Be it further enacted, That it shall be the duty of the county superintendent of education of said county to appoint three district superintendents for said district in the same manner as is provided for the appointment of township superintendents, and said superintendents shall be required to perform such duties in this district as are required by law of other township superintendents, and the district superintendents shall as soon as practicable after the passage of this act, make an enumeration of all the children, white and colored, male and female, between the ages of seven and twenty-one years within the said Waterloo School District, and make a report to the county superintendent as soon as practicable, which report shall also show the number of such children within the fractional portion of each township of which said Waterloo School District is formed; and subsequent apportionments of school moneys in and for the territory composing said Waterloo School District shall be made in accordance with such enumeration, until another enumeration shall be made under the general laws of the State.

Sec. 4. Be it further enacted, That the county superintendent of Lauderdale county, shall co-operate with the said district superintendents in keeping up the schools, both white and colored, in said district.

Sec. 5. Be it further enacted, That all laws and parts of laws conflicting with the provisions of this act, be, and the same are hereby repealed.

Approved Feb. 11, 1893.

• No. 222)

AN ACT

(H. 96

To amend sections 1, 2 and 7, and to repeal sections 3 and 4 of an act to establish a separate school district, to be known as the Cullman School District, in Cullman county, Alabama, and for the appointment of a board of trustees for said school district, with certain powers and privileges, approved February 14, 1885.

Section 1. Be it enacted by the General Assembly of Alabama, That section 1 of the said act be amended so as to read as follows: Section 1. That the corporate limits of the city of Cullman, in Cullman county, Alabama, shall constitute a school district separate and apart from the other school districts in the county of Cullman, and the inhabitants of the said city of Cullman are hereby incorporated by the name of "The Cullman School District."

Sec. 2. Be it further enacted, That section 2 of said act be amended so as to read as follows: Section 2. That the public schools of the said Cullman School District shall be under the charge of a board of education, to consist of the mayor of the city of Cullman, who shall be ex-officio president of said board, and six other persons, householders and freeholders, residents of said city of Cullman, to be elected by the mayor and councilmen of the city of Cullman at their regular meeting in May, 1893; the first two elected shall hold their office for the term of two years, and the second two elected shall hold their office for the term of four years, and the last two elected shall hold their office for the term of six years, and at each regular meeting in May, biennially thereafter, or as soon thereafter as practicable, they shall elect two persons of the qualifications above stated, to succeed those whose offices have expired, so that two of such persons shall be elected biennially. Vacancies in said board shall be filled by

election by the mayor and councilmen of the city of Cullman, at the first regular meeting of the same after the occurrence thereof, or as soon thereafter as practicable, the members so elected to serve for the remainder of the unexpired term. The present board of trustees of said Cullman School District shall remain in office until the election of the board of education under this act. Said board of education shall have power to purchase, receive, hold and convey for and in behalf of said school district all such real and personal property as may be necessary or proper for the purposes of said school district, and shall control the disposition of all funds which may be received by or for said school district. They shall have power to rent or build suitable school houses, and buy furniture for the same. Said board of education shall, as soon as practicable after their election, organize by electing some suitable persons or persons, whether members of the board or not, as secretary of the board and treasurer of the school district, and the secretary of the board and treasurer of the school district may be one and the same person, if the board shall so elect. That said board of education shall take the place of and have all the powers of the board of trustees in said original act, and wherever in said original act the words "board of trustees," or "trustees," are used,, the words "board of education" are hereby substituted.

Sec. 3. Be it further enacted, That section 7 of said original act be amended so as to read as follows: Section 7. That said board of education may meet at such time and places within said city as they may designate, and shall take such measures as may be proper to establish such school in said district as may be necessary for the accommodation of the youths thereof of each race, to grade such schools, prescribe text books to be used therein, employ teachers, and generally to make such rules and regulations for such school

district as to them may seem best and are not in conflict with the laws of the State. It shall be the duty of said board of education, before the first day of August of each year, to prepare and file with the mayor of Cullman, an estimate of the money required for the maintenance of the public school of said district for the succeeding scholastic year, and for the erection and repair of necessary school buildings, and for furniture for the same, and fuel for the schools, in order that the mayor and councilmen of the city of Cullman may make the necessary provisions to supply the funds required in said estimate. Provided, That no contracts shall be entered into, and no disbursements of any money or funds shall be made for buildings, except by the consent and under the direction and control of the mayor and councilmen of the city of Cullman. The said board of education, in connection with the faculty of the said school, shall have the right to grant diplomas to those who have creditably completed any of the prescribed courses of study, and certificates of scholarship or of proficiency in any of the courses of study. That the State superintendent of education shall furnish said board of education such books and blanks as are furnished to the county superintendent of education.

Sec. 4. Be it further enacted, That sections 3 and 4 of said act be, and the same are, hereby repealed.

Sec. 5. Be it further enacted, That all laws and parts of laws in conflict herewith, be and the same are hereby repealed.

Approved February 11, 1893.

No. 237)

AN ACT

(H. 941)

To constitute certain territory in Greene county, Alabama, a separate school district, and to provide for the management of the public schools in said school district, and to direct and provide for the disbursement of the school fund collected under the provisions of this act.

Section 1. Be it enacted by the General Assembly of Alabama, That the following territory situated in Greene county, Alabama, to-wit: All of section twenty-nine (29); all of section twenty (28); the south-west quarter of section twenty-seven (27); the south-west quarter of the south-east quarter of section twenty-seven (27); all of section thirty-three (33); all of section thirty-four (34); the east half of section thirty-two (32); the west half of the north-west quarter of section thirty-five (35); the west half of the south-west quarter of section thirty-five (35); all in township twenty-two (22); of range two (2) east; the north half of section three (3); the west half of the north-west quarter of section two (2); the north half of the south-west quarter of section three (3); the north half of section four (4); the north half of the south-east quarter of section four (4); the north-east quarter of the south-west quarter of section four (4); the north-east quarter of section five (5); all in township twenty-one (21); of range two (2) east; shall constitute a public school district separate and apart from the remaining school district of Greene county, and shall be known as the Eutaw Public School District.

Sec. 2. Be it further enacted, That the public schools of said district shall be under the control and management of a board of education, to consist of seven suitable persons, one of whom shall be mayor of the town of Eutaw, the other

six shall be elected by the mayor and board of aldermen of the town of Eutaw from the qualified electors of said town who are not members of said board of aldermen, at the first regular meeting in March, 1893; the six to be elected by said mayor and board of aldermen are to be divided into three classes, two in each class. The first class shall hold office for a term of two years, the second class for four years, and the third class for six years, and biennially thereafter the mayor and board of aldermen of said town of Eutaw shall elect the successors of the two members of the board of education whose term of office expires and they shall hold office for a term of six years. Vacancies in said board of education caused by death, resignation or removal, shall be filled for the unexpired term by the mayor and board of aldermen of said town of Eutaw. The mayor of said town of Eutaw shall be ex-officio chairman of said board, and shall have a casting vote where there shall be a tie in any question before said board.

Sec. 3. Be it further enacted, That each member of said board of education shall, upon his introduction into office, take and subscribe an oath or affirmation faithfully to discharge the duties imposed upon him as a member of such board; such oath shall be in writing, and shall be subscribed before any officer allowed under the laws of Alabama to administer oaths, and when taken shall be filed with the mayor of said town of Eutaw. A majority of said board shall constitute a quorum for the transaction of business. The members shall receive no compensation.

Sec. 4. Be it further enacted, That said board of education shall provide all rules, by-laws, or regulations necessary for the conduct of business that may come before it, and may elect one of their number as secretary who shall receive no compensation.

Sec. 5. Be it further enacted, That said board of educa-

tion is authorized to establish and locate the number of public schools to be taught each year within said school district, whether for male or female, white or colored, and perform all other duties necessary to the proper regulation and maintenance of such schools, and said board of education shall also elect teachers, fix their duties and compensation, prescribe the qualifications necessary to become a teacher in said schools, and said board of education, or a committee thereof, shall examine all applicants to teach in said schools, and from such applicants shall select such as may be considered the best qualified for the position of teachers. Any of such officers, or teachers may be removed for cause to be determined by said board.

Sec. 6. Be it further enacted, That the Eutaw Public School District shall receive its proportionate share of the public school revenue, including its pro rata share of the sixteenth section fund of each township that lies partly within the school district established by this act, and shall also receive all the tax collected as poll taxes within the limits of said school district, for the use and maintenance of the public schools established by said board of education therein, the said fund and taxes to be drawn and received by the treasurer of said town of Eutaw in the same manner as county superintendents of education receive school funds; and that the Eutaw Public School District may receive from said town of Eutaw such sums or amounts arising from property tax not required to pay the interest and principal of bonds issued by said town for school purposes, as the mayor and aldermen of the town of Eutaw may annually appropriate for the use and maintenance of the public schools established in said district; and all moneys whether received from said town or from the State, county, poll taxes, or other source, shall be placed by the treasurer of said town of Eutaw to the credit

of such board of education, separate and apart from the other funds in his hands, and it shall be disbursed as directed by said board of education.

Sec. 7. Be it further enacted, That said board of education, after they establish the schools in said district, shall annually apportion to each school so established such an amount of the public school revenue and other funds collected, or placed to their credit under this act, for the current scholastic years as said board of education may deem just and equitable, and for the equal benefit of the children thereof between the ages of seven and twenty-one years.

Sec. 8. Be it further enacted, That said board of education may issue diplomas to all persons who satisfactorily complete the course of study prescribed by said board of education for the public schools of said school district.

Sec. 9. Be it further enacted, That the children and wards of all actual residents within the limits of the said school district, from seven to twenty-one years of age, shall be entitled to seats as pupils in the public schools of said school district. Provided, Such children themselves be bona fide residents of said school district, and non-resident children may be admitted into such schools on such terms and conditions as the board of education may prescribe, and said board of education is hereby authorized to provide separate schools for the children of citizens of African descent.

Sec. 10. Be it further enacted, That the said board of education shall have power, and they are hereby authorized to charge in the several grades of the public schools established in said school district, such tuition, matriculation, incidental or other fees as they may deem necessary for the proper conduct of said public schools.

Sec. 11. Be it further enacted, That the chairman of the said board of education shall attend to the taking of the

school census (with such assistance as may be allowed him by said board) whenever such census is required to be taken, and he shall make a full report of the same to the board and to the State superintendent of education.

Sec. 12. Be it further enacted, That all property, real or personal, now or hereafter owned by the town of Eutaw as school property, or which has been or may hereafter be purchased by said town of Eutaw for school purposes, shall be under the control and management of said board of education.

Sec. 13. Be it further enacted, That all laws or parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

Approved February 14, 1893.

No. 258)

AN ACT

(S. 472

To establish the Hampton school district in Madison county.

Section 1. Be it enacted by the General Assembly of Alabama, That the following described territory, situated in the county of Madison, shall constitute a separate school district, to be known as the Hampton school district, to-wit: Commencing at the northwest corner, section 4, township 2, range 1, west, and running on township line due east to north-east corner, section 3, township 2, range 1 east, thence south on section lines to the southeast corner section 10, township 3, range 1, east, and thence west on section lines to the southwest corner of section 9, township 3, range 1, west, and thence north on section lines to the place of beginning.

Sec. 2. Be it further enacted, That the said separate school district shall be under the supervision of three superintendents, to be appointed by the county superintendent of educa-

tion of Madison county, as other township superintendents are appointed, with the same powers, duties and rights, as other township superintendents have and exercise.

Approved February 15, 1893.

No. 269)

AN ACT

(H. 795

To establish the Hayne School District in Lowndes county.

Section 1. Be it enacted by the General Assembly of Alabama, That from and after the passage of this act there shall be established in Lowndes county the Hayne School District, to be composed of township fourteen (14) and township fifteen (15), in range fourteen (14), in said county.

Sec. 2. Be it further enacted, That the county superintendent shall appoint five (5) trustees in and for said school district, who shall be resident citizens and qualified voters thereof, and who shall hold their office from the first day of July next for a term of two years, and until their successors are duly appointed by said superintendent. And these said trustees shall have all the authority and exercise all the powers of township trustees as now, or which may be hereafter, provided by law.

Approved Feb. 16, 1893.

No. 279)

AN ACT

(H. 973)

To establish a special school district, to be known as the Lowndesboro school district in Lowndes county

Section 1. Be it enacted by the General Assembly of Alabama, That all that part of the county of Lowndes, embraced in township (16) sixteen, range (14) fourteen, township (15) fifteen, range (14) fourteen, township (15) fifteen, range (15) fifteen, township (16) range (15) fifteen, be and the same is hereby constituted a separate school district, to be known as the Lowndesboro school district.

Sec. 2. Be it further enacted, That the Lowndesboro school district, as such separate school district, shall receive its proportionate share of the public school fund coming to the county.

Sec. 3. Be it further enacted, That the public schools of the Lowndesboro school district shall be under the charge of a board of education to consist of five members, residents of said school district, the first five to be appointed by the county superintendent of education on 1st day of July next, and who shall hold their office for two years, and until their successors are appointed. Said board to elect one of their members as president, who shall make reports and furnish statistics and information to the superintendent of education of the State, as may be required by law, of county superintendents of education.

Sec. 4. Be it further enacted, That said board of education may in their discretion, establish such number of schools to meet the wants of the population of said school district and said board shall elect such teachers as are in their opinion necessary to the proper conduct of said schools, to be submitted for ratification to the patrons of said school, and shall also prescribe rules and regulations for the government of the

schools aforesaid. Such board shall have and exercise such other and additional powers as may be necessary to give it complete control of the public schools of said school district.

Sec. 5. Be it further enacted, That the children and wards of all actual residents within the limits of the Lowndesboro school district, from seven to twenty-one years of age, shall be entitled to seats as pupils in said public schools and non-resident children may be admitted into such schools on such terms and conditions as said board of education may prescribe.

Sec. 6. Be it further enacted, That the board of education shall have power to charge in the several grades in said schools such incidental or other fees as they may deem necessary for the proper conduct of said schools.

Sec. 7. Be it further enacted, That all funds devoted to public school purposes in the Lowndesboro district shall remain in the hands of the county superintendent of education, to be paid out by him in such manner as said board of education through its president may direct.

Sec. 8. Be it further enacted, That the board of education shall issue transfers whenever the same may be applied for.

Approved Feb. 17, 1893.

No. 292)

AN ACT

(H. 621

To establish and define the boundary line of Oak Grove, a separate school district in the county of Pike.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district to be made and established in Pike county, embracing that portion of territory in township nine, lying east of Walnut Creek in range

twenty-one, and west of Floyd's Mill Creek, or Little White Water, and White Water Creek in sections 1, 2, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 35 and 36, in township nine, range 21, sections, 5, 6, 7, 8, 17, 18, 19, 20, 29, 30 and 31, township 9, range 22, said separate school district, as described, to be known as Oak Grove School District of Pike county.

Approved Feb. 18, 1893.

No. 294)

AN ACT

(H. 745

To establish a separate school district in Bibb county, Alabama, and fix the boundaries of same.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district be established to be known as James school district in Bibb county, to be subject to the laws of the State of Alabama, out of the following parts of the following townships: All of township 22, range 8 east, east of Affonce creek; all of township 22, range 9 west of the Cahaba river; all of township 23, range 9 east, west of Haysoppe creek, and sections 25, 26, 35 and 36 of township 23, range 8 east.

Sec. 2. Be it further enacted, That the said separate school district shall receive its proportionate share of the public school revenue of said township, including a pro rata share of the sixteenth section funds, and shall also receive all the tax collected as poll tax within the limits of the territory set forth in the first section of this bill.

Approved February 18, 1893.

No. 305)

AN ACT

(H. 891

To establish a separate school district to be known as the Oneonta School District, in Blount county.

Section 1. Be it enacted by the General Assembly of Alabama, That from and after the passage of this act, section thirty-six, in township twelve, range one, east, thirty-one, in township twelve, range two, one, in township thirteen, range one east, and six in township thirteen, range two, east, Blount county, Alabama, be, and the same is hereby created into a separate school district to be known as the Oneonta School District.

Sec. 2. Be it further enacted, That the school officers of the State and county shall apportion to said district, all funds, to which the children residing within said district, shall be entitled, in the same manner as the funds are now apportioned to the various townships in Blount county, or may hereafter be apportioned under the laws then of force.

Sec. 3. Be it further enacted, That the poll tax funds, arising from tax payers, who live within said district, shall be and constitute the poll tax fund, to which said district shall be entitled, and the officers, whose duty it is to assess and collect said funds, shall make and keep the said funds separate, and report the same to the proper authority, in the same manner the poll tax funds of the various townships shall be kept.

Sec. 4. Be it further enacted, That there shall be the same number and character of school officers, for said district, as provided by law for the various townships in Blount county, and it shall be the duty of the county superintendent of Blount county, Alabama, to appoint all the necessary officers for said district, until the next general election for the same, when the officers for said district, shall be elected or appoint-

ed in the same manner the various township officers are chosen.

Sec. 5. Be it further enacted, That this act shall not go into effect until the first day of October, 1893.

Approved Feb. 18, 1893.

No. 326)

AN ACT

(H. 683

To establish the Fairfield School District in Geneva county.

Section 1. Be it enacted by the General Assembly of Alabama, That the following described territory, situated in the county of Geneva, shall constitute a separate school district, to be known as the Fairfield School District, to wit: Sections 29, 30, 31 and 32 in township 2, range 22; also, sections 25, 26 and 35 and 36 in township 2, range 21.

Sec. 2. Be it further enacted, That all persons outside of the district, as described in the foregoing section of this act, and within one mile of the line, shall have an optional right to be included in the school district, the choice of such person to be final.

Sec. 3. Be it further enacted, That said district shall receive its pro rata of all public school revenues, and shall be managed and controlled as prescribed by law for other school districts in said county.

Sec. 4. Be it further enacted, That this act shall take effect immediately after its passage.

Sec. 5. Be it further enacted, That all laws and parts of laws in conflict herewith, be and the same are hereby repealed.

Approved February 21, 1893.

No. 351.)

AN ACT

(H. 931)

To constitute the town of Pell City a separate school district, and to provide for the management of the public schools therein.

Section 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the town of Pell City in St. Clair county, and the inhabitants thereof, are hereby incorporated by the name of the Pell City School District.

Sec. 2. Be it further enacted, That said school district shall receive each year its proportionate share of the school fund coming to St. Clair county, from whatever source derived, and its proportionate share of the sixteenth section fund and also all the taxes collected as poll taxes in said district, which fund and taxes and all other funds for the use of said school district are to be controlled, managed and expended as provided by this act.

Sec. 3. Be it further enacted, That the board of education, to be known as the board of education of said district, is hereby appointed to consist of the mayor or intendant of said town, who shall be ex-officio president thereof and four other persons who, for six months next preceding their election, shall have been bona fide residents of said town, and who shall be elected by the qualified electors of said district at the time the election is held for mayor and councilmen of said town, and whose term of office shall be two years from the date of the election of said board, which election shall be held by the inspectors appointed to hold an election for mayor and councilmen of said town, and the return of said election shall be certified to the mayor or intendant and councilmen who shall declare the result thereof, that until the holding of such election the mayor or intendant and councilmen of said town shall constitute such board of education.

Sec. 4. Be it further enacted, That said board of education shall have the management and control of the free public schools of said district, and of all the moneys, property collected, donated, or acquired for said school district, and of the expenditure or investment of said moneys as herein provided by this act, and said board shall also have power to create and appoint a board for the examination of applicants for positions as teachers in the public schools of said district, and no person shall be elected by said board of education as a teacher in any of said public schools who shall not have received a license from said board of examination; said board of examination shall consist of such number of persons as may be deemed expedient by the board of education, and they shall serve as such at the pleasure of said board of education; Provided, that said board of education may, at its election, examine applicants for positions as teachers upon such examination; And provided further, that no person shall teach in any of the public schools of said district who has not been elected by said board of education, and said persons shall also have a license from the county board of education as now provided for by law.

Sec. 5. Be it further enacted, That said board of education shall elect from their body a secretary and treasurer thereof, and the treasurer, before entering upon his duties, shall make bond in such sum as the board may direct, with sufficient surety to be approved by the president of the board, payable to said school district, with condition faithfully to discharge the duties of his office during his continuance therein, which bond shall be entered upon the minutes of said board and also transcribed upon the records of the town of Pell City, and the original then kept by the said board in some safe and convenient place, and a certified transcript of the record of said bond from the minutes of said board, or from the record

of said town of Pell City, shall be presumptive evidence of the execution of said bond in all the courts of this State, in the event said bond should be lost.

Sec. 6. Be it further enacted, That a majority of said board of education shall constitute a quorum for the transaction of business, and a record shall be kept of all their official meetings, and if at any meeting the president of the board should be absent, the members present may elect a president pro-tempore.

Sec. 7. Be it further enacted, That the treasurer of said board of education shall receive all moneys belonging to said school district, and pay the same out only upon the warrant of the mayor of the town, and said mayor shall not draw a warrant for any of said moneys except upon the order of the board of education, and whenever called upon by said board, the treasurer shall make a report in writing of money received and paid out by him for and on account of said school district.

Sec. 8. Be it further enacted, That said board of education shall make a written report to the State superintendent of education on the first Monday in January and July of each year, of the condition of the schools in said district; the length of time they were open the past scholastic year, the number of pupils in attendance, the number of teachers, the value of school property, the amount paid for school houses, or for repairing the same, the amount paid teachers, and the amount received from all sources the past scholastic year, for the use of said school district, and of any other matter required by law; and a duplicate of said report shall be filed with the mayor and aldermen of said town of Pell City, who shall at the expense of the town cause the same to be published in some newspaper of said town.

Sec. 9. Be it further enacted, That the mayor of the said

town of Pell City, and the treasurer of said board of education, shall at such time as may be fixed by the board, make report in writing to the board of education of the expenditure of the moneys of the school district, which reports shall be submitted to the board of examination and shall be spread upon the minutes of the board.

Sec. 10. Be it further enacted, That the tax collector of the county of St. Clair is hereby required to pay over to the treasurer of said board of education all poll taxes collected within said school district, and the receipt of said treasurer, under the seal of said school district, shall be a valid voucher in the hands of said tax collector in his settlement with the auditor of the State; and the superintendent of education of said county is required to pay over to the treasurer of said board the pro rata share of said school district in the school fund of said county, and the marshal, or person authorized to receive and collect taxes for the town of Pell City, is required to pay over to the treasurer all moneys as were collected by said marshal or other person for the use and benefit of said school district.

Sec. 11. Be it further enacted, That said school district, by its corporate name, shall have the power to sue and be sued, contract and be contracted with, shall have a common seal, to be kept by the secretary of said board of education, shall have the right to buy, sell, lease, receive by gift or devise real and personal property for the use and benefit of the public schools of said town, shall contract for the erection of school houses in said district, which shall be located in such place or places as will best serve the convenience of the children in said district, and change the location of said school houses whenever necessary, and the board of education herein provided for shall be the proper constituted authority for the purpose of executing and carrying out the powers and ex-

exercising the rights and privileges herein conferred upon said school district.

Sec. 12. Be it further enacted, That all children residing within said district between the ages of seven and twenty-one shall have the right to enter any of the public schools of said city free of charge; Provided, always, that separate schools shall be established for the white and black races, and there shall not, in any event, be a mixture of the races in any of the public schools; And provided further, that the board of education, in its discretion, may assess an incidental fee for non-resident children of said district as may be received as pupils in the schools of this district upon such terms as may be prescribed by the board of education.

Sec. 13. Be it further enacted, That no school house shall be built in said district without the character and style of said building and the material to be used in the construction thereof shall first be submitted to the mayor and aldermen of said town and the consent of said mayor and aldermen obtained.

Sec. 14. Be it further enacted, That nothing in this act shall be construed as in conflict with the constitutional duty of the State superintendent of education to exercise a supervision of the public schools of said district.

Sec. 15. Be it further enacted, That the members of the board of education, before they enter upon their duties to each take and subscribe an oath to discharge their duties to the best of their ability, which oath shall be entered upon the minutes of said board.

Sec. 16. Be it further enacted, That all vacancies in said board shall be filled by appointment by the mayor and aldermen of said town of Pell City, and no person shall be appointed to fill a vacancy on said board who does not possess the qualifications required by this act, and all appointees to said board shall continue in office until the next ensuing election of a board of education.

Sec. 17. Be it further enacted, That the bond of the treasurer of said board may be increased or strengthened or said treasurer required to make a new bond whenever in the judgment of said board it is necessary, and the treasurer, when required to make a new bond or to give additional security upon his bond, shall do so within ten days after notice of such requirement, and failing to do so, his office as treasurer and as a member of said board thereby becomes vacant.

Sec. 18. Be it further enacted, That any member of said board removing from said district thereby vacates his office, and the fact of such removal being ascertained by the board, they shall declare said vacancy and notify the mayor and aldermen of said town thereof, and all other vacancies on said board shall also be certified to said mayor and aldermen.

Sec. 19. Be it further enacted, That all laws inconsistent with the provisions of this act be, and the same are, hereby repealed.

Approved February 21, 1893.

No. 359.)

AN ACT

(H. 466.

To establish a separate school district, to be known as the Mellville School District, in Winston county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as the Mellville School District, in Winston county, Alabama, be, and the same is, hereby established, to consist of the following territory, to-wit: Sections 32, 33 and 34, and the south half of each of sections 27, 28 and 29, and the southeast quarter of section 31, all in township 11, range 6, west; also sections 3, 4 and 5, and the north half of each of sections 8, 9 and 10,

and all of section 6 that lies east of the west prong of Dismal creek, all in township 11, range 6, west.

Sec. 2. Be it further enacted, That the educational affairs of said school district shall be under similar control as that of the township districts of the State, and shall be managed by three trustees, who shall be elected by the qualified electors of said school district, in the same manner and under the same provisions as is by law established for Winston county, Alabama,

Sec. 3. Be it further enacted, That the county superintendent of education of Winston county shall appoint three trustees, residents of said school district, to hold office until their successors shall be duly elected and qualified.

Approved February 21, 1893.

No. 360.)

AN ACT

(H. 1087.

To establish the Magnolia School District in Lowndes county.

Section 1. Be it enacted by the General Assembly of Alabama, That the Magnolia School District in Lowndes county, is hereby established; that the territory embraced therein shall consist of township thirteen (13) of range fourteen (14) and the east half of township thirteen (13) of range thirteen (13), and section one (1) of township twelve (12), range thirteen (13), and section six (6) of township twelve (12), range fourteen (14), all in Lowndes county.

Sec. 2. Be it further enacted, That all public school funds to which said township and sections, or portions of townships or sections embraced therein are entitled to receive under the existing or future laws of this State, shall be, and the same are, hereby made the school fund of said district.

Sec. 3. Be it further enacted, That the county superintendent of said county shall, on the first day of July, 1893, and every two years thereafter, appoint five trustees of said school district, who shall be resident voters within the same, and who shall have all the authority, duties and privileges of trustees of township schools in this State, which are now or which may be hereafter provided by law, and who shall hold their office till their successors are appointed.

Approved February 21, 1893.

No. 366.)

AN ACT

(H. 243.

To provide for the better support and maintenance of the public schools of Blount county Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That the commissioners court of Blount county, Alabama, be and they are hereby directed and required to levy and have collected under the laws of this State for the year 1893, and each year thereafter, a tax of ten cents on the one hundred dollars worth of the value of all taxable property in said county, as assessed for revenue for the State, for the support and maintenance of the public schools in said county as hereinafter provided.

Sec. 2. Be it further enacted, That it shall be the duty of the tax collector of said county to pay over to the county treasurer, as herein provided, all moneys collected by him and on hand under the provisions of this act, on the first day of January of each year, and on the first day of each month thereafter, until the same shall have all been paid.

Sec. 3. Be it further enacted, That it shall be the duty of the county treasurer of said county to keep a separate account of all funds paid to him to the credit of the public schools,

and it shall be unlawful for any of said public schools funds to be used for, applied, or appropriated to any other use whatsoever.

Sec. 4. Be it further enacted, That it shall be the duty of the county superintendent of education to furnish, by the first day of October of each year, to the county commissioners the census of the school children taken under the law of Alabama showing the number of children within the school age of the several townships and separate school districts within said county.

Sec. 5. Be it further enacted, That the county commissioners shall as soon as practicable after the assessment of taxes and receipts of the census provided for in section 4 of this act, in every year determine what amount of such school fund shall be appropriated to the several townships and separate school districts in said county, and the amount so determined, shall be in exact proportions to the number of children in such township or separate school district as shown by the last census taken of school children under the laws of this State next before such action of the county commissioners, and they shall furnish the county superintendent of education and the treasurers of incorporated towns and cities having and maintaining public schools under special school laws, the amount of such school fund apportioned by them to the several townships, separate school districts and incorporated towns and cities, and upon such determination it shall be the duty of the county treasurer to pay the county superintendent of education the amounts allowed by the commissioners court for the several townships in said county, and to the treasurers of incorporated towns or cities within said county having a separate school district or schools managed or controlled by such town or city authorities, the money allowed by the commissioners court for such incor-

porated towns or cities; such payments to be made upon the warrant of the probate judge of said county, and money, thus paid shall be used exclusively for the support and maintenance of the public schools within the respective townships and separate school districts and for no other purpose; and under the laws of the State governing the disbursement of other school funds.

SEC. 6. Be it further enacted, That the county superintendent of education shall be paid in addition to the compensation now fixed by law, such amount as the court of county commissioners may deem to be just and fair, but in no case to exceed one per cent. of all the funds disbursed by him under this act.

SEC. 7. Be it further enacted, That the tax assessor and tax collector of said county shall respectively assess and collect said tax without additional compensation.

Approved February 21, 1893.

No. 367.]

AN ACT

[H. B. 470.

To create a separate school district at East Lake in township 17, range 2, W. in Jefferson county, Alabama.

SECTION 1. Be it enacted by the General Assembly of Alabama, That sections 10, 11, 14 and 15, in T. 17, R. 2, W., in Jefferson county, Alabama, shall constitute a separate school district, to be known as the East Lake school district.

SEC. 2. Be it further enacted, That the said school district shall have three trustees, who shall be householders and freeholders, residents in said district, and who shall be appointed by the county superintendent of education, and hold office for a term of two years and until their successors shall qualify; Provided, that the first appointment of said

trustees shall be made within sixty days after the passage of this act who shall continue in office until the 1st day of October, 1895.

SEC. 3. Be it further enacted, That said school district shall be entitled to receive its proportionate share of all funds raised or appropriated by the State or county, for public schools; also its proportionate share of the sixteenth section fund accruing to the township of which said school district is a part, and it shall receive all poll tax which may be collected from residents of said school district and all funds may be donated thereto.

SEC. 4. Be it further enacted, That said board of trustees are authorized to establish and locate one school for each race, and but one to be taught each year within said district, and elect officers and teachers for the same, and shall perform all other duties necessary to the proper organization, regulation and maintenance of such schools, making contracts with teachers, and approving reports in the manner provided by the general school law for trustees of townships.

SEC. 5. Be it further enacted, That said board of trustees shall take such steps as they may deem advisable to have built a suitable school building on the public school property in said district for the white children, and shall do what they may deem best to help and encourage the patrons of the colored school to have built a suitable building for the colored children in said district, on a lot selected by said trustees.

Approved February 21, 1893.

No. 368.]

AN ACT.

[H. B. 353.]

To permit and provide for the incorporation of separate school districts in the county of Lauderdale.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the inhabitants of any township, settlement or neighborhood in the county of Lauderdale, may become a body corporate as a school district, for the purpose of establishing and maintaining public schools in the manner and with the powers hereinafter expressed, upon a petition in writing, addressed to the judge of probate of the county in which they reside, signed by fifteen or more of the adult male householders or free holders, stating the name and the boundaries by which it is proposed to incorporate such district.

SEC. 2. Be it further enacted, That upon presentation of such petition, such judge must direct an election to be held within thirty days thereafter, at a place in such township, settlement or neighborhood, by him designated, under the direction of three inspectors appointed by him.

SEC. 3. Be it further enacted, That all male inhabitants over twenty-one years of age, who have resided within such boundaries for three months next preceding the election, can vote, if not otherwise disqualified.

SEC. 4. Be it further enacted, That the polls must not be opened before ten o'clock in the morning, and the inspectors, before receiving any ballots, must take an oath to conduct the election fairly. The voters must write upon their ballots "School District," or "Non-School District," and the inspectors must receive and deposit the same in the ballot box.

SEC. 5. Be it further enacted, That the inspectors must, within five days thereafter, certify the result to the judge of probate; and if a majority of the votes cast at the election are for "school district," he must within three days make an

entry of record, that the inhabitants of such township, settlement or neighborhood are incorporated as a school district, by the name and with the boundaries designated in the petition, whereupon the inhabitants of such township, settlement or neighborhood are incorporated and invested with the rights incident to such incorporations.

SEC. 6. Be it further enacted, That the business of the school district be managed by the trustees, who are styled the board of school trustees of the district, and hold office for two years, and until their successors are elected and qualified.

SEC. 7. Be it further enacted, That no person can hold the office of school trustee who has not resided in the district for three months preceding the election. Vacancies may be filled by appointment by the county superintendent of education.

SEC. 8. Be it further enacted, That the judge of probate must notify the superintendent of education within three days after the returns of the inspectors, of the entry of record of such incorporation, and the said superintendent must, within five days of such notice, appoint three inspectors, a place of voting in such district, and a day not more than ten days from such notification, for the election of trustees; notice of the day and place of election must be by the superintendent posted at three conspicuous places in the district at least five days before the election.

SEC. 9. Be it further enacted, That the qualification of the electors and the oath of the inspectors must be as in the election of incorporation. If no choice is made, by reason of two or more persons receiving the same number of votes, the inspectors must decide between such persons by lot.

SEC. 10. Be it further enacted, That all subsequent elections after the first, and the inspectors and the voting places, are appointed by trustees of the district, and the qualification of voters must be the same as at the first election; all ties must be determined by lot.

SEC. 11. Be it further enacted, That should the election not take place on the day appointed, the corporation is not for that cause dissolved, but the trustees must appoint another as early as practicable for holding the election.

SEC. 12. Be it further enacted, That two members of the board shall constitute a quorum, but one of them shall have power to adjourn a meeting in case of the absence of other members.

SEC. 13. Be it further enacted, That such separate school district shall receive the proportionate share of the public school fund coming to the county in which it is situated, including the pro rata share of the sixteenth section fund of each township that may lie wholly or partly within such district, said funds to be drawn and applied by the board of trustees, for the benefit of the schools of their district; and such incorporated school district is authorized to increase its school funds by receiving donations; also, the trustees of such incorporate school district are hereby authorized to further increase their school fund by levying a tax of ten cents on each one hundred dollars worth of the taxable property, both real and personal, of such district, which shall be collected as the general taxes for the State and county are collected, but the proceeds of such tax shall be applied exclusively to the benefit of the school of the district within which it shall have been levied, and the proceeds thereof shall be paid over to the board of trustees of such school district, directly, and no officer through whose hands the proceeds of such tax shall pass, shall be entitled to any compensation, charge, fee or commission for collecting or disbursement of such money.

SEC. 14. Be it further enacted, That each member of the board of school trustees shall, upon entering upon the duties of his office, take an oath to faithfully discharge all the

duties enjoined upon him as such officer. The trustees shall serve without compensation, and shall not be allowed to charge commission on any moneys, from whatever source, which may come into their hands, for the use or benefit of the schools of their district.

SEC. 15. Be it further enacted, That the said board of school trustees shall have the power to build at convenient and accessible places in their district suitable houses for the schools of their district, and to take possession, for the benefit of the schools in their district, all public school houses that may be in existence therein at the organization, keep them in repair and furnish them as they think best. They shall have power, with the consent and advice of the county superintendent of education, to elect all teachers, fix their salaries, and prescribe their duties, dictate the course of instruction, the number and character of the text books, the method of teaching, the number of schools, and prescribe the rules and regulations for the government of said school.

SEC. 16. Be it further enacted, That the county superintendent of education shall perform the same duties, exercise the same supervision and report on the condition of all schools in the district created under this act, in the same manner as now prescribed by law in regard to public schools of this county, in so far as the exercise of such functions is not inconsistent with the provisions of this act.

SEC. 17. Be it further enacted, That all children who are residents within the limits of such school district, from seven to twenty-one years of age, shall be entitled to seats in the public schools of such district; *Provided*, such children shall themselves be *bona fide* residents of such districts, and non-resident children may be admitted into such schools on such terms and conditions as the board of such school trustees may prescribe, but separate schools shall be provided for colored children.

SEC. 18. Be it further enacted, That the adult male inhabitants may by petition in writing to the probate judge of Lauderdale county, propose an alteration or change of the name, or the boundaries of said school district, stating the alteration or change proposed, and on the filing of such petition the judge of probate must order an election, to be held and conducted in all respects as the election for the original incorporation, and if at such election a majority vote for the proposed alteration or change, the fact must be certified to such judge by the inspectors, and on the filing of such certificate he must make and enter an order allowing such alteration or change.

SEC. 19. Be it further enacted, That all acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

Approved February 21, 1893.

No. 412.]

AN ACT

[H. B. 413.

To establish a separate school district in Winston county, to be known as Union Grove School District.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as Union Grove School District, in Winston county, Alabama, be and the same is hereby established, which district shall be composed and consist of all that territory, within the following named boundaries, and including the following territory, to-wit: All of sections seven (7), eighteen (18) and nineteen (19), and the northwest quarter (N. W. $\frac{1}{4}$) of section thirty (30), township eleven (11), range six (6), west; sections twelve (12), thirteen (13) and twenty-four (24), and all that part of sections twenty-three (23) and

fourteen (14), that lies east of Brushy Creek, in township eleven (11), range seven (7) west, in Winston county, Alabama, making Brushy Creek the line on the west of said district.

SEC. 2. Be it further enacted, That the educational affairs of the said district, shall be under the control of a board of trustees, consisting of five persons, who shall be elected as now provided by law, for the election of township trustees; and said board shall have the same authority and power, and be governed by the same rules of law, as made and prescribed for township trustees of public schools in this State and they shall have the same privileges and exemptions as by law given township trustees.

SEC. 3. Be it further enacted, That P. G. May, C. R. Bennett, Robert A. Tucker, J. W. Walker, and Jesse Darden, be, and they are hereby appointed trustees of said school district, to serve until the next regular election of township trustees in Winston county.

SEC. 4. Be it further enacted, That this act shall go into effect from its approval, but the trustees herein appointed shall not have the right to interfere with any existing contract, made by the township trustees of said territory, or any part thereof.

SEC. 5. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, be and the same are hereby repealed.

Approved February 21, 1893.

No. 445.]

AN ACT

[s. 5.]

To create and establish an industrial school in the State of Alabama for white girls.

SECTION 1. Be it enacted by the General Assembly of Alabama, That an industrial school for the education of white girls in Alabama is hereby established and shall be located and organized as hereinafter provided.

SEC. 2. Be it further enacted, That the governor of the State shall nominate and appoint, by and with the advice and consent of the senate, one person from each of the congressional districts of the State and two from the State at large, together with the governor, superintendent of education and auditor of the State, shall be trustees, and to serve as such for six years, except the governor, superintendent of education and auditor of the State, who shall serve for the terms of their election by the people of Alabama. Immediately after they shall be assembled, in consequence of their first appointment they shall be divided equally into three classes. The term of the first class shall expire two years from the date of their appointment; the second class four years from the date of their appointment, and the third class at the expiration of the date of their appointment, so that one-third may be chosen every second year. If vacancy happen by resignation or otherwise, the governor may make temporary appointments until the next meeting of the General Assembly. The governor shall be ex-officio a member of said board of trustees, and shall act as president thereof in all of their meetings, when present, but in his absence they may choose a president pro tem. Five of the board of trustees shall be a quorum for the transaction of business.

SEC. 3. Be it further enacted, That the secretary of state shall furnish a certificate to each trustee within ten

days of his appointment, notifying him that he has been so appointed and elected; and if any trustee fail for the space of thirty days to inform the governor of his acceptance, then his appointment shall be void and his place shall be filled as heretofore provided in cases of vacancy.

SEC. 4. Be it further enacted, That the board of trustees of said institute, and their successors in office be, and the same are hereby declared to be a body politic and corporate, and shall have a common seal, shall sue and be sued, contract and be contracted with, and may own, purchase, sell and convey property, both real and personal.

SEC. 5. Be it further enacted, That the governor shall, as ex-officio president, convene the board of trustees of said industrial school to consider any business connected with the same, whenever he shall deem it expedient to do so; that the said trustees shall elect a secretary of the board, whose duty it shall be to record in a well bound book all of the proceedings had by said board, and shall be allowed such compensation for his or her services as the board may deem proper; that the State treasurer shall be ex-officio treasurer of said board of trustees, whose duty it shall be to secure and safely keep all moneys belonging to the Alabama Girls' Industrial School for the education of white girls in industrial branches, and to disburse the same under the order of the board of trustees.

SEC. 6. Be it further enacted, That the said board of trustees shall possess all the power necessary and proper for the accomplishment of the trust reposed in them, viz: The establishment and maintenance of a first class industrial school for the education of white girls in the State of Alabama in industrial and scientific branches, at which said girls may acquire a thorough normal school education, together with a knowledge of kindergarten instruction and music; also a knowledge of telegraphy, stenography, pho-

tography and phonography, type-writing, printing, book-keeping, indoor carpentry, electrical construction, clay-modeling, architectural and mechanical drawing, sewing, dress-making, millinery, cooking, laundry, house, sign and fresco painting, home nursing, plumbing, and such other practical industries as, from time to time, to them may be suggested by experience or tend to promote the general object of said girls' industrial school, to-wit: fitting and preparing such girls for the practical industries of the age.

SEC. 7. Be it further enacted, That the board of trustees shall appoint a president and professors of said school, and such other officers as they may think proper to put the same in successful operation, and shall make such laws, rules and regulations for the government of said officers as they may deem advisable. They shall regulate the rates of tuition, together with the course of discipline necessary to enforce the faithful discharge of the duties of all officers, professors and students. They shall divide the course of instruction into departments, so as to secure a thorough education, and the best possible instruction in all of said industrial studies, selecting careful and efficient professors in each department and shall adopt all such by-laws and regulations as they may deem necessary to carry on all the purposes and objects of said institution.

SEC. 8. Be it further enacted, That the board of trustees, as hereinbefore provided, shall receive as compensation for their services, their actual expenses in attending any of the meetings of the board of trustees, payable out of any funds belonging to said school.

SEC. 9. Be it further enacted, That as it is the object of this act to establish said industrial school for white girls, with as small an outlay annually as is consistent with the object to be attained, the said trustees shall prepare a general plan of said school, together with all the necessary de-

partments, dormitories and out houses; also an estimate of the cost of necessary school furniture, including cost of buildings and department appliances, and shall build and establish in any one year, unless said building shall be secured by donation to the State, only such houses, dormitories and departments as they may deem for the best interest of said institution and of greatest practical importance.

SEC. 10. Be it further enacted, That the said board of trustees shall organize under the provisions of this act as soon as practicable after their appointment, and they shall immediately after their organization proceed to procure, by purchase or donation, a site for the location of the Alabama Girls' Industrial School for the education of the white girls of Alabama in industrial and scientific studies. In selecting the site the trustees shall look to the convenience of the people of the State, the advantages and disadvantages of the different sites proposed, and shall locate the same at the place where most advantages are offered; Provided, that the location shall be at a place known to be free from annual epidemics; And provided further, that if the trustees to be appointed shall deem it best or the most practicable way of attaining the desired object, then it may be established as a branch of an already existing school.

SEC. 11. Be it further enacted, That as soon as said institution is prepared to receive pupils or students in three or more of the industrial studies hereinbefore enumerated, the said trustees shall apportion to each county its quota of scholars on the basis of the educable white girls between the ages of fourteen and twenty-one, in the State and several counties, and one pupil from each congressional district, whose tuition and board shall be absolutely free, and this number shall be increased from time to time as in the judgment of the trustees the finances of said institution shall warrant. Said free scholarship shall be awarded at the an-

nual meeting of the girls' industrial school upon the recommendation of the trustee from the congressional district from which said pupil is appointed, and the several superintendents of education in the counties shall advertise it in some newspaper published in said county, and after the expiration of two weeks from said advertisement, shall, by and with the approval of the county commissioners or court of county revenues, commission such number of white girls to said institution as such county is entitled to. The presentation of such certificate, over the signature of the probate judge of such county, shall entitle the person so commissioned to admission into said school, with all its privileges for the course of study selected; Provided, that the appointing board shall give the preference to the applicants least able to educate themselves if they have the requisite qualifications; Provided, however, that nothing in the provisions of this act shall be held to prevent any white girl in this State from attending said school upon the payment of her board and tuition.

SEC. 12. Be it further enacted, That the sum of five thousand dollars for the year eighteen hundred and ninety-five, and ten thousand dollars for the year eighteen hundred and ninety-six, be, and the same is hereby appropriated, or so much thereof as may be necessary out of any funds in the State treasury not otherwise appropriated. The same shall be drawn from the State treasury by the board of trustees on vouchers audited by the board and approved by the governor and filed in the auditor's office. Such vouchers shall contain a clear and full statement of the purpose for which they are given. Upon the filing of such vouchers the auditor of the State shall draw his warrant on the State treasurer for the same, from time to time, as funds may be needed to pay the officers and professors of said school, or for any

other necessary and proper object connected with building, buying site and properly equipping said institution with everything needed in each department.

SEC. 13. Be it further enacted, That said board of trustees shall determine and fix the salaries of each officer, employee and professor in said institute; provided said salaries in any one department shall not exceed those now allowed to professors in the agricultural and mechanical college.

SEC. 14. Be it further enacted, That this act shall take effect and be in full force from and after the first day of January, 1895.

No. 447.]

AN ACT

[s. 389.

To constitute the city of Wetumpka a separate school district, and to provide a board of education therefor.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the territory within the corporate limits of the city of Wetumpka shall be a separate school district separate and apart from the remaining districts in the county of Elmore.

SEC. 2. Be it further enacted, That the public schools of the city of Wetumpka shall be under the control and management of seven suitable persons to be elected by the board of mayor and aldermen of the city of Wetumpka, from the resident citizens of said city, at its regular meeting in the month of March, 1893; such board of education to be divided into two classes, four in the first class and three in the second class. The first class shall hold office for the term of two years, the second class for the term of four years, and biennially thereafter the board of mayor and aldermen of said city shall elect the successors of the members of the

board of education whose term of office expires, and they shall hold office for a term of four years. Vacancies in the board of education caused by death, resignation or removal, shall be filled for the unexpired term by the board of mayor and aldermen of said city. The board of education shall elect a chairman from its number, who shall hold office for a term of two years, and shall have the right to vote on all questions before the board of education, and shall have the casting vote when there is a tie.

SEC. 3. Be it further enacted, that each member of the board of education, before entering on the discharge of the duties of such office, shall take and subscribe an oath or affirmation to faithfully discharge the duties of the same. A majority of the board of education shall constitute a quorum for the transaction of business, and its members shall receive no compensation.

SEC. 4. Be it further enacted, That the board of education shall adopt rules, by-laws and regulations for the conduct of the business that may come before it, and may elect a secretary from its number, who shall hold office at its pleasure, and receive such compensation as it may prescribe.

SEC. 5. Be it further enacted, That it shall be the duty of the board of education, annually, before the first Monday in July, to submit a statement to the board of mayor and aldermen of said city, showing the amount of money necessary for the support and maintenance of the public schools of the city for the next ensuing scholastic year, and for the erection, rental or repair of the necessary school buildings, together with the probable amount of money that will be received from the State school fund, or from any other source; when such statement shall have been made, the board of mayor and aldermen of said city shall make an appropriation to supply whatever additional amount that may be necessary, but shall not be required to appropriate more

than twenty-five per cent. of the gross revenues of said city for such schools, but may in its discretion appropriate larger sums, or make special appropriations for the erection, repair or rental of school houses. All moneys, whether received from the city or from the State or county, or other source, shall be placed by the city treasurer to the board of education, and shall be kept separate and apart from other funds in his hands, and such funds shall be disbursed as prescribed by the board of education.

SEC. 6. Be it further enacted, That the board of education shall have general supervision of the public schools of the city, and shall elect all teachers, prescribe their duties and the qualifications necessary to become a teacher in the schools, and the compensation they shall receive. The board of education, or a committee thereof, shall examine all applicants to teach in the schools, and shall elect such only as are qualified to teach. The board of education shall provide all rules and regulations for the conduct of the schools, and may require the use of such text books as it may deem best.

SEC. 7. Be it further enacted, That the board of education shall have the power to lease, purchase, build, furnish and keep in repair school houses, and all property, real and personal, now used by the board of mayor and aldermen of said city for school purposes shall vest in and be under the control of the board of education, and it may sell any of the property now used by the board of mayor and aldermen of said city for school purposes, and the proceeds of such sales shall be invested by it in the purchase of other property, and the title to the property so purchased shall vest in and be held by the board of education for school purposes only.

SEC. 8. Be it further enacted, That the board of education shall receive a proportionate share of the public school revenue, including a pro rata share of the sixteenth section fund of each township which lies wholly or in part within

such school district, and shall receive all taxes collected as poll taxes within said district, for the use and maintenance of the public schools therein, and for the purposes herein authorized, which said money shall be paid over to the treasurer of said city, and shall be by him kept and disbursed as provided in section five of this act.

Sec. 9. Be it further enacted, That the board of education shall appoint one or more of its members to take the school census of such school district whenever the census is required to be taken, and the person or persons so appointed shall make a full report to the board of education, and to the superintendent of education for the State, and for such service such compensation shall be paid as the board of education may prescribe.

Approved February 21, 1893.

No. 489.]

AN ACT

[s. 527.

To constitute the town of Oxanna a separate school district and to provide for the maintenance of schools therein.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district be, and the same is hereby established in the town of Oxanna, the boundaries of which shall be the corporate limits of the town of Oxanna.

SEC. 2. Be it further enacted, That the mayor and councilmen of the town of Oxanna are hereby authorized to elect three trustees and prescribe their duties, powers and terms of office; to authorize them to receive, hold, transmit and convey the title to real and personal property, and to do

and perform such other duties as may be deemed advisable for the purpose of establishing and maintaining in said limits a school or schools, or a system of graded schools.

SEC. 3. Be it further enacted, That the said mayor and councilmen of the town of Oxanna are hereby authorized and empowered to adopt and enforce such ordinance or ordinances as may be deemed advisable for the full establishment and maintenance of such school or schools, or a system of schools, also to erect, equip and maintain such buildings and premises as may be advisable for the same; *provided*, that nothing in this act shall be construed to limit or abridge the powers already conferred by law upon the corporate authorities of said town of Oxanna.

SEC. 4. Be it further enacted, That said school district shall be entitled to receive its proportionate share of all funds raised or appropriated by the State for public schools; also its proportionate share of the sixteenth section fund accruing to the township of which said school district is a part, and it shall receive all poll tax which may be collected from all residents of said school district, and all funds which may be donated thereto.

SEC. 5. Be it further enacted, That until the said corporate authorities of said town shall provide some other bonded officer for the purpose, the treasurer of said town shall receive and disburse all funds of said district, shall keep said funds and the accounts thereof separate from the general funds of the said town, and for any default therein he and his sureties shall be liable as for the general funds of the town of Oxanna.

SEC. 6. Be it further enacted, That the State superintendent of education, or other proper officer of the

State, shall give the necessary warrants and certificates to secure the payments to the treasurer of the town of Oxanna, or to such other officer as said corporate authorities shall designate, all funds to which said district may be entitled.

SEC. 7. Be it further enacted, That the mayor and councilmen of the town of Oxanna are hereby authorized and empowered to collect a tax upon the property within its limits, for the maintenance of said schools, to such amount as said corporate authorities may deem advisable within constitutional limits.

SEC. 8. Be it further enacted, That all laws or parts of laws in conflict with this act be, and the same are hereby repealed.

Approved Feb. 21, 1893.

No. 499.]

AN ACT

[s. 333.

To constitute the city of Dadeville a separate school district, and to provide for its government and support.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the common council of Dadeville, as now established, and as may be changed from time to time hereafter, shall constitute a school district separate and apart from the remaining districts in Tallapoosa county.

SEC. 2. Be it further enacted, That it shall be the duty of the mayor and common councilmen of said incorporation, within thirty days after each municipal election every two years, to select and appoint five competent persons, to be styled school trustees, who shall be qualified electors and

residents within said corporate limits, and who shall not be members of the common council, and they shall hold their offices respectively for the term of two years. It shall be the duty of said trustees, as soon as practicable after their appointment, to elect one of their number superintendent of public schools for said district, who shall preside at all meetings held by said trustees, when present, and perform such other duties as may be lawfully imposed by the common council of Dadeville pertaining to the conduct and management of said schools. That said trustees shall prescribe and pass upon the qualifications of all persons who are applicants to teach in the public schools of said district, and before each annual election of teachers, to present to the common council the names of all persons who are applicants for positions as teachers in said schools, together with their recommendations touching the same, and that out of the names thus presented the said common council shall elect teachers, but shall have the right in their discretion to reject any or all of said nominations; and in the event that the requisite number of teachers are not selected from the first nominations thus made, the said trustees must make other nominations as soon as practicable, and before the beginning of the next scholastic year, and from the number of applicants presented the council must elect the requisite number of teachers; *Provided*, that if in any case the said trustees shall fail to act for the space of thirty days after notice from the common council, the latter may proceed to contract with teachers in such manner as it may deem advisable, but the said council must fill any vacancy that may occur in said board of trustees within ten days after notice thereof, which may be given to the mayor by any one of said trustees.

SEC. 3. Be it further enacted, That said school trustees shall have power to prescribe and regulate the management of said schools by the teachers not inconsistent with their contracts with the common council, to suspend or expel therefrom any pupil for good cause, and to issue diplomas or certificates of proficiency to masters of any or all of the branches taught in said schools; and with the consent of the common council, the said trustees may also suspend or discharge from employment any teacher in said schools for any immoral conduct, or other sufficient cause, and in the event that the place of any teacher becomes vacant from this or other cause, the same shall be supplied as provided in the second section of this act.

SEC. 4. Be it further enacted, That said school trustees by and with the consent of the common council shall before the beginning of each scholastic year, fix the rates of tuition for matriculation in said schools to be paid by the patrons thereof and prescribe the terms of payment of the same, together with the conditions in respect thereto upon which pupils may enter said schools; that under their direction the said superintendent shall personally overlook and supervise and manage the said schools, to the extent of collecting and paying over to the treasurer of the common council all tuition and matriculation fees that may be required to be paid under this section, but the said superintendent shall, before performing any of these duties, enter into bond in the sum of five hundred dollars payable to the common council of Dadeville for the faithful performance of his duties as herein designated, and shall receive for his services such compensation as the common council may prescribe; and in addition to his duties above named he shall also attend to the taking of the school census whenever such census enumera-

tion is required to be taken under the laws of this State, and shall make full report thereof to the State superintendent of education, and to the common council.

SEC. 5. Be it further enacted, That the said school district shall receive its proportionate share of all public school revenues including its pro rata share of the sixteenth section fund of each township which lies wholly or in part within the said district, and shall also receive all the taxes collected as poll taxes within the said district for the use and maintenance of the schools therein, and the same shall be paid into the hands of the treasurer of the common council of Dadeville, and appropriated by said incorporation as aforesaid; and that one-third of the revenues of said city government derived from license or other taxes for and during the year 1893, and one-half of all such revenues for every succeeding year thereafter, must be set apart by the said treasurer to be applied exclusively for school purposes within said district, which shall be apportioned and appropriated by the common council and mayor to such of the schools therein as they may deem advisable; *Provided*, that nothing herein contained shall preclude the said city government from making such additional appropriations for this purpose as the state of its revenues may seem to justify, but before the provisions of this or preceding section shall go into effect, the said treasurer shall first enter into bond in a sum of not less than three thousand dollars payable to the common council of Dadeville which shall be so conditioned as to cover any defaults in the management of the school funds herein provided for, as well as for the faithful performance of his general duties as treasurer of said incorporation.

SEC. 6. Be it further enacted, That the said common council of Dadeville shall have power to lease or to build school houses, and to buy or lease lands for the purpose of building school houses, taking the deeds and leases to themselves and their successors in office, and also to purchase and hold all necessary furniture and apparatus for such building, to receive and hold promissory notes, mortgages and other contracts for the payment of tuition and matriculation fees, and for all other liabilities that may be incurred in the management of said schools, and to enforce the same in the courts of this State, and the powers herein conferred shall include the right to employ and contract with teachers for services in said schools, subject to the restrictions provided in section two of this act.

SEC. 7. Be it further enacted, That said town council is hereby required on the first day of February and August of each year to make a correct report of all moneys received and disbursed by them, from whom received and on what account paid out, and to publish said report in some newspaper published in the town of Dadeville.

SEC. 8. Be it further enacted, That the provisions of this act shall not go into effect until the 1st day of June A. D. 1893.

Approved Feb. 21, 1893.

No. 518.]

AN ACT

[s. 391.

To establish a separate school district, in Henry and Dale counties in Alabama, to be known as "Blackwood's School District," and to define the boundaries thereof.

SECTION 1. Be it enacted by the General Assembly of Alabama, That there is hereby created in Henry and Dale

counties a separate school district, to be known as "Blackwood's School District," composed of a portion of Henry and a portion of Dale counties in Alabama, the boundaries of which shall be as follows, viz: Beginning on the range line which divides ranges 26 and 27, in township 5 in Henry county, at the northeast corner of section 24, in township 5, range 26, and running due west to the Henry and Dale county line, thence north along said county line to the Choctawhatchie river, thence down said river to the junction of the river and Blackwood's creek, thence up Blackwood's creek east to the Henry county line, thence south along said line to township line dividing said townships 4 and 5, thence east along said township line to range line dividing ranges 26 and 27, thence along said range line north to the starting point, all in township 5 north, and range 26 east, being located in Henry and Dale counties in Alabama.

SEC. 2. Be it further enacted, That the superintendents of education of Henry and Dale counties and their successors in office are hereby authorized and empowered to appoint trustees, who shall be citizens within said district, who shall perform all the duties now incumbent on township superintendent as to public schools in said district; and the said superintendents of education in Henry and Dale counties, and their successors in office hereinafter, shall apportion to said school district the school funds in the same manner as is now provided by law for township and other school districts in their respective counties.

SEC. 3. Be it further enacted, That said "Blackwood's School District" shall be entitled to secure its proportionate share of all funds raised or appropriated by the State for public schools; also its proportionate share of the sixteenth section fund accruing to the townships of which said school

district is a part, and it shall receive all poll tax which may be collected from residents of said school district, and all funds which may be donated thereto.

Approved February 21, 1893.

No. 18.]

AN ACT

[H. 113.

To establish a Separate School District to be known as The Union Hill School District in Henry county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate School District, to be known as the Union Hill school district, be and the same is hereby established and included within the following boundary lines, to-wit: Beginning at Watson's Bridge on Choctaw-hatchie river and running up said river to the mouth of Indian Creek, thence westward up said creek to the fork thereof, thence up the south prong of said creek to the line between Barbour and Henry counties, thence south along said line to the Abbeville and Clopton road, thence east along said road to Watson's Bridge, the starting point in the county of Henry, be and the same is hereby constituted a school district separate and apart from the remainder of the townships from which the same has been taken, and shall be under the supervision of a board of trustees to be appointed within said school district by the county superintendent of education with power to transact all matters pertaining thereto, as directed by the superintendent of education.

Approved December 7, 1894.

To establish a separate school district in Winston county, to be known as the "Dismal School District."

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as the "Dismal School District," in Winston county, Alabama, be and the same is hereby established; which district shall be composed and consist of the following territory within the following named boundaries and including the following territory, to-wit: Beginning at the southwest corner of the "Union Grove School District," thence east along the south boundary line of the "Union Grove School District" to the regular line dividing ranges 6 and 7, thence south on said line to the west prong of Dismal creek, thence down Dismal Creek to Sipsey river, up Sipsey river to the Walker county line, thence west to the Sipsey river, up Sipsey river to the mouth of Brushey Fork creek, thence up Brushey Fork creek to beginning corner, to be composed of part of townships 11 and 12, range 6 west and part of townships 11 and 12, range 7 west, in Winston county, Alabama.

SEC. 2. Be it further enacted, That the educational affairs of said district shall be under the control of a board of trustees, consisting of those who shall be elected as now provided by law for election of township trustees, and said board shall have the same authority and power and be governed by the same rules of law as made and provided for township trustees of public schools in the State and they shall have the same privileges as township trustees.

SEC. 3. Be it further enacted, That J. O. Farley, Jno. A. Smith, J. D. Key be and they are hereby appointed trustees of said district to serve until the next regular election of township trustees in Winston county, Alabama.

SEC. 4. Be it further enacted, That this act shall go into effect from its approval, but the trustees herein ap-

pointed shall not have the right to interfere with any existing contract made by the township trustees of said territory or any part thereof.

SEC. 5. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

SEC. 6. Be it further enacted, That said district shall be entitled to a *pro rata* share of 16th section fund, central fund and all funds as provided for township schools.

Approved December 12th, 1894.

No. 65.]

AN ACT

[S. 26.

To establish the Benton school district in Lowndes county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That from and after the passage of this act there shall be established in Lowndes county, the Benton school district, to be composed of township fifteen (15), range twelve (12), and township sixteen (16), range thirteen (13), in said county.

SEC. 2. Be it further enacted, That the county superintendent of education shall appoint five (5) trustees in and for said school district, who shall hold their office from the first day of July next, for a term of two years, and until their successors are duly appointed by said superintendent, and these said trustees shall have all the authority and exercise all the powers of township trustees, as now, or as may be hereafter provided by law.

Approved December 13th, 1894.

No. 73]

AN ACT

[H. 221]

To establish a separate school district to be known as Reynolds School District, in Henry county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That all that part of township 7, range 26, and township 7, range 27, in Henry county, bounded as follows: On the east by the Choctawhatchie river, on the west by the Dale county line, on the south by the line between townships 6 and 7 and on the north by the line between townships 7 and 8, comprising a territory six miles long and four miles wide, be and the same is hereby established as a separate school district, to be known as Reynolds School District, to be separate and apart from the remainder of the townships from which the same has been taken, and shall be under the supervision of a district superintendent of public schools, appointed by the county superintendent of education, with power to transact all matters pertaining thereto, the same to be conducted in all respects as is now or may hereafter be provided by law for the control and management of the educational interest of the other school districts of the State. Said district and the funds thereof to be kept and used therein separate from the other districts of said county.

Approved December 13th, 1894.

No. 118]

AN ACT

[H. 417]

To establish a separate school district to be known as Boaz District in Marshall county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the following described territory, situated in the county of Marshall, shall constitute a separate school district to be known as Boaz District, to-wit: All of sections 35, 36 township 9 range 4 E. section 31, township 9

range 5 E. section 6, 7 township 10 range 5 E. also sections 1, 2, 11, 12, township 10, range 4 E.

SEC. 2. Be it further enacted, That said district shall receive its pro rata of all public school revenues, and shall be managed and controlled as prescribed by law for other districts in said county.

SEC. 3. Be it further enacted, That this act shall take effect immediately after its passage.

Approved December 14th, 1894.

No. 129]

AN ACT

[s. 88

To establish the Wyndham Creek school district in Lowndes county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That from and after the passage of this act there shall be established in Lowndes county the Wyndham Creek school district to be composed of all that portion of township thirteen (13) range thirteen (13) that lies north of Dry Cedar Creek, and east to the Magnolia school district, then west embracing all that portion of township thirteen (13) range twelve (12) to Dry Cedar Creek in said school district.

SEC. 2. Be it further enacted, That the county superintendent of education of said county shall appoint five trustees in and for said school district who shall be resident citizens and qualified voters thereof, and who shall hold this office from the first day of July next for a term of two years, and until their successors are duly appointed by said superintendent. And these said trustees shall have all the authority and exercise all the powers of township trustees, as now, or as may be hereafter provided by law.

Approved December 17th, 1894.

To establish the Rodgers school district in Pike county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the following described territory situated in the county of Pike, shall constitute a separate school district, to be known as the Rodgers school district, to-wit: commencing at the mouth of Sykes mill creek, thence up the Conecuh river to the section line between T. 9, R. 20 and T. 10, R. 20, thence west to where said line intersects Indian creek, and thence up said creek to the N. E. corner of section 35 T. 10, R. 19, thence along the north line of said section, to the N. W. corner of said section 35, and thence to the south west corner of said section and thence west to the Sykes mill creek, and thence down said creek to the beginning point embracing portions of T. 9, R. 19, T. 9, R. 20, and T. 10, R. 19.

SEC. 2. Be it further enacted, That said separate school district shall be under the supervision of three superintendents, to be appointed by the county superintendent of education of Pike county; with the same powers, duties and rights, as other township superintendents have and exercise.

SEC. 3. Be it further enacted, That the State superintendent of education shall apportion to the said Rodgers school district, a pro rata of the school funds of the State in the same manner as these funds are apportioned to the other townships and school districts.

SEC. 4. Be it further enacted, That the State superintendent of education shall also apportion to the said Rodgers school district its proportionate share of the sixteenth section fund now apportioned to T. 9, R. 19, its proportionate share of the sixteenth section fund now apportioned to T. 9, R. 20, and its appropriated share of the sixteenth section fund now apportioned to T. 10, R. 19.

SEC. 5. Be it further enacted, That T. M. H. Rodgers, H. S. Carter and J. N. Folmar shall act as superintendents of said school district for a term of two years from the first of October 1894, and thereafter their successors shall be appointed by the county superintendent of education as prescribed in section two of this act.

Approved January 25th, 1895.

No. 160.]

AN ACT

[H. 295.

To create a separate school district in Cherokee county, Alabama, to be known as the Taff school district, and to define the boundaries thereof.

SECTION 1. Be it enacted by the General Assembly of Alabama, That there is hereby created in Cherokee county a separate school district, to be known as Taff school district; composed of a portion of township eight (8) range ten (10) and a part of township eight (8) range nine (9) in Cherokee county, Alabama, the boundaries of which will be as follows, viz: Beginning at Oglesby's place on the gulf of Little river, thence due east to Blanch, thence south-east to Baugh's place, thence south-east to Waterloo, thence south-west to south boundary of township eight (8) of range ten (10) at the Tucker place, thence west with said boundary line to the gulf of Little river, thence up and with said gulf to the starting point, all in township eight (8) range ten (10) and township eight (8) range nine (9) east in Cherokee county, Alabama.

SEC. 2. Be it further enacted, That the superintendent of education of Cherokee county, Alabama, and their successors in office are hereby authorized and empowered to appoint trustees who shall be citizens within said district, who shall perform all the duties now incumbent on town-

ship trustees as to public schools in said district, and the said superintendent of education in Cherokee county and their successors hereinafter shall apportion to said school district in the school funds in the same manner as is now provided by law for township and other school districts in their respective counties.

SEC. 3. Be it further enacted, That said Taff school district, shall be entitled to secure its proportionate share of all funds raised or appropriated by the State for public schools, also its proportionate share of the sixteenth section fund accruing to the townships of which said school district is a part and it shall receive all poll tax which may be collected from residents of said school district, and all funds which may be donated thereto.

Approved January 25th, 1895.

No. 178.]

AN ACT

[H. 404.]

To establish a separate school district in Monroe county, Alabama, and fix the boundaries of same.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district be established to be known as the Glendale school district in Monroe county to be subject to the laws of the State of Alabama, out of the following parts of the following townships: Sections one, two, eleven and twelve in township seven and range eight. Sections five, six, seven, eight, seventeen and eighteen in township seven and range nine. Sections 35, 36, S $\frac{1}{2}$ of section 25. S $\frac{1}{2}$ of section 26. T. 8, R. 8, section 31, 32, S $\frac{1}{2}$ of section 29, S $\frac{1}{2}$ of section 30, T. 8 and R. 9.

SEC. 2. Be it further enacted, That the said school district shall receive its proportionate share of the public school revenue of said township, including a pro-rata share

of the 16th section funds, and shall also receive all the tax collected as poll tax within the limits of the territory set forth in the first section of this bill.

Approved January 29th, 1895.

No. 204.]

AN ACT

[H. 564]

To establish a separate school district to be known as the Crane Hill district, in Cullman county, Alabama.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district to be known as the Crane Hill school district in Cullman county, Alabama, be and the same is hereby established, to consist of the following territory, to-wit: Beginning at township line between townships 10-11, where said line crosses Whetstone creek, thence east to the north-east corner of section 2, thence south to south-east corner of section 14, thence west to Crooked creek, thence up Crooked creek to the mouth of Whetstone creek, thence up Whetstone creek to starting point, all in township 11, range 5, west.

SEC. 2. Be it further enacted, That the educational affairs of said school district shall be under similar control as that of the township districts of the State, and shall be managed by three trustees who shall be elected by the qualified electors of said school district in the manner and under the same provisions as is by law established for Cullman county, Alabama.

SEC. 3. Be it further enacted, That the county superintendent of education of Cullman county shall appoint three trustees residents of said school district, to hold office until their successors shall be duly elected and qualified.

SEC. 4. Be it further enacted, That all laws and parts of laws in conflict with this act, be, and the same is hereby repealed.

Approved February 1st, 1895.

No. 224.]

AN ACT

[H. 282.

To establish a separate school district to be known as the Freeman school district in Winston County, Alabama.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district to be known as the Freeman school district in Winston county, Alabama, be and the same is hereby established to consist of the following territory, to-wit: Beginning at the mouth of Mill branch, thence up said branch to the head of Mill branch, thence east on section line between sections 3 and 9 to White Oak creek, thence up White Oak creek to the line running east and west between sections 24 and 25, thence west to Rock creek, thence down Rock creek to the mouth of Mill branch, all in townships 10 and 11, range 6, west.

SEC. 2. Be it further enacted, That the educational affairs of said school district shall be under similar control as that of the township districts of the State, and shall be managed by three trustee who shall be elected by the qualified electors of said school district in the same manner, and under the same provisions as is by law established for Winston county, Alabama.

SEC. 3. Be it further enacted, That the county superintendent of Winston county shall appoint three trustees, residents of said school district, to hold office until their successors shall be duly elected and qualified.

SEC. 4. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, be, and the same are hereby repealed.

Approved February 6th, 1895.

No. 225.]

AN ACT

[H. 283.

To establish a separate school district in Winston county to be known as the "Poplar Spring" school district.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district known as the "Poplar Spring" school district in Winston county, Alabama, be and the same is hereby established, which district shall be composed and consist of the following territory within the following named boundaries, to-wit: Beginning at the mouth of Crooked creek, running up the north bank of said creek to the range line between ranges 5 and 6, thence north to the northeast corner of section 12, thence west to the head of Mill branch to Rock creek, thence down Rock creek to the beginning point, all in township 11, range 6 west, in Winston county, Alabama.

SEC. 2. Be it further enacted, That the educational affairs of said district shall be under the control of a board of trustees, consisting of three, who shall be elected as now provided by law, for the election of township trustees, and said board shall have the same authority and power, and governed by the same rules of law, as made and prescribed for township trustees of public schools in this State.

SEC. 3. Be it further enacted, That said district shall be entitled to its *pro rata* of the 16th section fund and central fund and all other funds for school purposes.

SEC. 4. Be it further enacted, That this act shall go into effect from its approval, but the trustees herein appointed

or elected shall not have the right to interfere with any existing contract already made by the township trustees until the close of the scholastic year 1895.

SEC. 5. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, be, and the same are hereby repealed.

Approved February 6th, 1895.

No. 228.]

AN ACT

[H. 765]

To create a separate school district in the town of Brewton, Alabama, to define its boundaries and provide for the maintenance of schools therein.

SECTION 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the town of Brewton, in Escambia county, Alabama, shall be and is hereby constituted a school district separate and apart from other school districts in said county, and the inhabitants of said town are hereby incorporated by the name of the school district of the town of Brewton.

SEC. 2. Be it further enacted, That the mayor and councilmen of the town of Brewton and their successors in office shall constitute a board of trustees for the district, which board shall proceed to control and manage said school district under the regulations and powers set forth and conferred by this act.

SEC. 3. Be it further enacted, That said board of trustees shall open and provide a sufficient number of schools to meet the wants of the population of the town of Brewton, at least one for each of the races, white and black. The mayor shall be the town superintendent of said schools; and the said board of trustees shall elect the principals and all the teachers of the schools within said district, fix their

compensation and prescribe their duties, control the distribution of teachers and pupils among said schools of the district, dictate the course of instruction, the number and character of text books, the method of teaching, and shall prescribe rules and regulations for the government of the schools and have and exercise such other powers as may be necessary for the complete control and management of the public schools of said town.

SEC. 4. Be it further enacted, That the children and wards from seven to twenty-one years of age of all actual residents within the corporate limits, or tax-payers of said town of Brewton, who have conformed to the regulations and rules of the board of trustees, shall be entitled to admission in the public schools of said town. *Provided*, that children of non-residents who are not tax-payers in said town may be admitted in said public schools on such terms and conditions as the said board of trustees may prescribe.

SEC. 5. Be it further enacted, That said board of trustees shall have power to establish a rate of incidental fees, applicable to all pupils alike as they deem necessary for the proper support and conduct of said schools, and change the same from time to time as the public necessities and welfare of said schools require.

SEC. 6. Be it further enacted, That said public schools of said school district shall be entitled to receive their proportionate share of all funds raised or appropriated by the State for public schools, also their proportionate share of the sixteenth section fund, all the poll taxes which may be collected from residents of said school district, to be divided between the white and colored schools as now provided by law, also so much of the funds of said town arising from taxation or otherwise as the mayor and councilmen of said town may deem expedient or proper to appropriate to the support or maintenance of said schools, also all funds that

may be donated or contributed to the support of the same.

SEC. 7. Be it further enacted, That the State superintendent of education shall apportion, and the county superintendent of education of Escambia county, Alabama, shall pay to the treasurer of the town of Brewton the proportionate part of the public school fund to which said town of Brewton shall be entitled as herein provided. The said town treasurer shall keep all said school funds separate from other municipal funds and pay it out only on the warrant of said board of trustees. He shall make report to the board of trustees, when called on, of the amount of school funds on hand, and make a report of his collections and disbursements under this act. The board of trustees as herein provided shall discharge all the duties as now required by law of township trustees so far as the town of Brewton is concerned.

SEC. 8. Be it further enacted, That the town of Brewton shall have the power to buy lands for the purpose of building school houses, to own lands and property for school purposes, to rent or lease school houses, and to do all things necessary for the successful operation of a system of schools within said town or school district.

SEC. 9. Be it further enacted, That all the school funds shall be disbursed in such manner as the said board of trustees may direct and said fund shall in all things be under the control and management of said Board of trustees.

SEC. 10. Be it further enacted, That said board of trustees shall have power and authority to grade the schools in said district. And to issue diplomas to such students as satisfactorily complete the course of study prescribed.

SEC. 11. Be it further enacted, That the said board of trustees, consisting as aforesaid of the mayor and councilmen of said town, shall have charge and management of the public schools of said town and the custody and control of the buildings owned or rented by said town of Brewton for school purposes.

SEC. 12. Be it further enacted, That the mayor and councilmen of the town of Brewton are hereby authorized and empowered to levy and collect a tax upon the property within its corporate limits for the maintenance of said school in said town to such amount as said corporate authorities may deem advisable within constitutional limits.

SEC. 13. Be it further enacted, That the said mayor and councilmen of the town of Brewton are hereby authorized and empowered to adopt and enforce such ordinance or ordinances as may be deemed advisable for the full establishment and maintenance of such school or schools, or a system of schools, also to erect, equip and maintain such buildings and premises as may be advisable for the same. *Provided*, that nothing in this act shall be construed to limit or abridge the powers already conferred by law upon the corporate authorities of the said town of Brewton.

SEC. 14. Be it further enacted, That all laws and parts of laws at conflict with the provisions of this act be, and the same are hereby repealed.

Approved February 6th, 1895.

No. 257.]

AN ACT

[H. 577.

To establish a separate school district to be known as the Anton school district, in Winston county, Alabama.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district to be known as the Anton school district, Winston county, Alabama, be and the same is hereby established, to consist of the following territory, to-wit: Beginning at the mouth of Rock creek, thence up said creek to township line between townships 11 and 12, thence west to the northeast corner of section 3, thence south to the line between sections 3 and 10, thence

west on the south boundary line of Mellville school district to the northwest corner of the northeast quarter of section 9, thence south to Sipsey river, thence down Sipsey river to the mouth of Rock creek, to beginning point, all in township 12, range 6 west.

SEC. 2. Be it further enacted, That the educational affairs of said school district shall be under similar control as that of the township districts of the State, and shall be managed by three trustees, who shall be elected by the qualified electors of said school district, in the same manner and under the same provisions as by law established for Winston county, Alabama.

SEC. 3. Be it further enacted, That the county superintendent of education of Winston county shall appoint three trustees, residents of said school district, to hold office until their successors shall be duly elected and qualified.

SEC. 4. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved February 8, 1895.

No. 269.]

AN ACT

[s. 260

To amend an act to establish the George N. Gilmer school district in Lowndes county, approved 14th February, 1887.

SECTION 1. Be it enacted by the General Assembly of Alabama, That an act to establish the George N. Gilmer school district in Lowndes county, approved 14th of February, 1887, be and the same is hereby amended so as to include and embrace the following described territory in addition to its present area, to-wit: Sections two (2), three (3), ten (10) and eleven (11) and the south half of twelve

(12); also sections thirteen (13), fourteen (14), fifteen (15), twenty-two (22), twenty-three (23), twenty-four (24), twenty-six (26), thirty-four (34) and thirty-five (35), all in township twelve (12), range twelve (12); also the east half of section five (5) and sections four (4) and nine (9), the east half and southwest quarter of section eight (8), the south half of section seven (7); and also sections sixteen (16), seventeen (17), eighteen (18), three (3), ten (10) and fifteen (15), all in township twelve (12), range thirteen (13); also the south half of section twenty-eight (28), and section thirty-three (33), in township thirteen (13), range thirteen (13); and section thirty-five (35) and south half of section twenty-six (26), in township thirteen (13), range twelve (12); also in said Lowndes county.

SEC. 2. That it is hereby meant that all of said described territory shall be, by this act, incorporated with and considered as a portion of said school district, and all educational funds whatever that belong or come to said described area shall be and the same is hereby authorized to be set apart and used for the said school district by the trustees thereof.

SEC. 3. Be it further enacted, That this act shall take effect and be of force on and after the 1st day of July next, 1895.

Approved February 8, 1895.

No. 275.]

AN ACT

[H. 250.

To create a separate school district in the city of Jasper, Alabama, to define the boundaries thereof and provide for the maintenance of schools therein.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district be and the same is

hereby established, in the city of Jasper, Alabama, the boundaries of which shall be the corporate limits of the city of Jasper.

SEC. 2. Be it further enacted, That said school district shall be entitled to receive its proportionate share of all funds raised or appropriated by the State for public schools, also its proportionate share of the sixteenth section fund accruing to the township of which said school district is a part, and it shall receive all poll tax which may be collected from residents of said school district, and all funds which may be collected from residents of said school district, and all funds which may be donated thereto.

SEC. 3. Be it further enacted, That the public schools of the school district of the city of Jasper shall be under the charge of a board of education, to consist of the mayor of Jasper, who shall be ex-officio president of said board, and four other persons, residents of said district, to be elected by the mayor and board of aldermen of Jasper at their regular meeting in January or as soon thereafter as practicable; the first two elected shall hold their said office for the term of two years and until their successors are elected and qualified and at each regular meeting in the month of June each year they shall elect two suitable persons to succeed those whose office has expired, so that two of such persons shall be elected annually.

SEC. 4. Be it further enacted, That each member of said board of education shall upon entering upon the duties of office subscribe an oath to faithfully discharge all the duties enjoined upon him by law as such officer; said oath may be administered by the mayor of said city.

SEC. 5. Be it further enacted, That said board of education shall have power, with the approval of the mayor and aldermen of said city of Jasper, to build upon the school

property of the city suitable houses for the use and accommodation of the public schools or to rent such houses and to keep such houses in repair, and to furnish the same with proper furniture and apparatus, but no part of the public school funds shall be applied thereto.

SEC. 6. Be it further enacted, That said board of education shall have power, 1st, to open a sufficient number of schools to meet the wants of the population of the city, elect the principals and all teachers, fix their compensation and prescribe their duties, dictate course of instruction, to prescribe rules and regulations for the government of the schools and to exercise such additional powers as will be necessary to give it complete control of the public schools of the city. 2nd. To issue certificates of proficiency to all persons who satisfactorily complete the course of study prescribed for the public schools of said district. 3rd. The board of education to charge in the several grades in said schools such incidental or other fees as they may deem necessary for the proper conduct of said schools.

SEC. 7. Be it further enacted, That the children and wards of all actual residents, within the corporate limits of Jasper, from seven to twenty-one years of age shall be entitled to seats as pupils in the public schools of said city; Provided, said children shall themselves be bona fide residents of said city, and non-resident children may be admitted into such schools, on such terms and conditions as the board of education may prescribe; but separate schools shall be provided for the children of citizens of African descent.

SEC. 8. Be it further enacted, That all funds devoted to public school purposes, in the school district of the city of Jasper, derived from said city shall be paid into the treasury of said city, where they shall be kept separate and

distinct from all other funds belonging to said city and shall be disbursed in such manner as the board of education may direct and all other funds devoted to public school purposes in the school district in the city of Jasper whether derived from State or county shall be disbursed by the county superintendent of education in the same manner as is now provided by law except that it shall be done by order of the board of education of said school district.

SEC. 9. Be it further enacted, That the mayor and aldermen of the city are hereby authorized and empowered to levy and collect a tax upon the property within its limits for the maintenance of said schools to such an amount as said corporate authorities may deem advisable within constitutional limits.

SEC. 10. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved February 8th, 1895.

No. 289.]

AN ACT

[H. 917.

To create the town of Greensboro, Alabama, a separate school district: to incorporate the same, and define its powers and duties and to provide for the maintenance and management of the public schools of said district.

Section 1. Be it enacted by the General Assembly of Alabama, That the territorial limits of the town of Greensboro, Alabama, as defined in the incorporation of said town be, and the same is hereby created and constituted a school district, separate and distinct from the other school districts of the county of Hale.

Sec. 2. Be it further enacted, That the inhabitants residing within the territorial limits of said district be, and they are hereby created a body politic and corporate by the name and description of the school district of the town of Greensboro, and by that name may sue and be sued, may contract and be contracted with, may have, take, hold, sell, exchange or convey real and personal property and may acquire such property by purchase or gift, may have perpetual succession, and may exercise all the rights, powers, franchises and privileges which are necessary and proper to carry into effect the purposes of this act.

Sec. 3. Be it further enacted, That the town of Greensboro, as such separate school district shall receive the proportionate share of the school fund coming to the county of Hale including the pro rata share of the sixteenth section fund, and shall receive all the taxes collected as poll taxes within such school district. Said fund and taxes to be drawn and distributed by such officer as may be appointed for that purpose by the board of education of the school district of the town of Greensboro hereinafter to be named, in the same manner as the county superintendents of education draw and disburse the funds for the respective counties; and the amount thus drawn for the school district of the town of Greensboro shall be used exclusively for the maintenance of public schools in said district; and the town of Greensboro is authorized to increase its school fund by receiving donations, but for the disbursement of all donated funds no charge whatever shall be made.

Sec. 4. Be it further enacted, That the public schools of the school district of the town of Greensboro shall be under the charge of the board of education, which board shall consist of a president and four associate members, who shall be

freeholders or householders residing within their districts ; who shall hold office for and during the term of their residence within the district and who shall have the right to fill all vacancies that may occur on such board by reason of death, resignation or otherwise. It shall be the duty of the president of said board to make annual reports and furnish statistics and information to the superintendent of education of the state, as may be required by law of county superintendents of education.

Sec. 5. Be it further enacted, That Thomas Seay is hereby made president of said board and J. A. Blount, George Erwin, William B. Inge, and A. Lawson, associate members of said board.

Sec. 6. Be it further enacted, That each member of said board of education, shall, before entering upon the duties of his office, subscribe an oath to faithfully discharge all the duties enjoined upon him by law as such officer ; such oath to be administered by the judge of probate, or any other officer authorized by law to administer oaths.

Sec. 7. Be it further enacted, That said board of education shall have power, with the approval of the mayor and aldermen to build upon the property of the town, suitable houses for the use and accommodation of the public schools of said district, and the said board may rent and purchase such house. Said board shall keep said houses in proper repair and shall furnish the same with appropriate furniture and apparatus.

Sec. 8. Be it further enacted, That the said board of education may open a sufficient number of schools to meet the wants of the population of the town of Greensboro, and said board shall elect such officers as are in their opinion necessary to the good government of said schools, and when

required, such officers shall, before entering upon the duties of their respective offices, take the oaths prescribed for all officers in this state, and shall if required by said board give bonds in any such sum as may be fixed by said board, conditioned as all other official bonds, to be approved by the president of said board of education, and filed with the other official bonds of the county and a certified copy of the bond of the officer selected to receive the funds of said district shall file in the office of the superintendent of education of this state. And the said board shall elect all teachers, fix their compensation and prescribe their duties ; control the distribution of teachers and pupils among the several schools, if there be more than two, dictate the course of instruction, the number and character of text books, the organization of classes and the method of teaching and shall prescribe rules and regulations for the government of the schools aforesaid. Such board shall have and exercise such other and additional powers as may be necessary to give it complete control of the public schools of said school district. Any of such officers or teachers may be removed for cause to be determined by said board.

Sec. 9. Be it further enacted, That said board of education may issue certificates of proficiency to all persons who have satisfactorily completed the course of study prescribed for the public schools of said school district.

Sec. 10. Be it further enacted, That the children and wards of all actual residents within the limits of the school district of the town of Greensboro from seven to nineteen years of age shall be entitled to seats as pupils in the public schools of said town provided such children themselves shall be bona fide residents of said town, and non-resident children may be admitted into such schools on such terms

and conditions as the board of education may prescribe. And separate schools shall be provided for colored children.

SEC. 11. Be it further enacted, That the board of education shall have power to charge in the several grades of said schools, such incidental or other fees as they may deem necessary for the proper conduct of said school.

Sec. 12. Be it further enacted, That the county superintendent of education of Hale, by virtue of his office as county superintendent of education, shall be treasurer of said school district and all funds devoted to the public school purposes in such school district in the town of Greensboro, whether derived from state, county or town, shall be paid to the treasurer of said board, and for disbursing which, he shall receive the same compensation as is now by law allowed him as county superintendent of education.

Sec. 13. Be it further enacted, That the board of education shall have authority to create a board for the examination of applicants for the positions of teachers in the public schools of the school district of the town of Greensboro, and no person shall be elected a teacher in any school in said district, who shall not have received a license from such board.

Sec. 14. Be it further enacted, That the board of education may in its discretion institute annual competitive examinations before such persons as the board may select for all applicants for license to teach in the schools of the school district including licensed teachers in said schools who are applicants for re-election, as teachers.

Sec. 15. Be it further enacted, That there is hereby levied upon all taxable property of said town a tax of one mill on each dollars' worth of taxable property as assessed for State taxation during the preceding year, which shall

be collected as other taxes of said town, and when collected shall be paid over to the treasurer of the board of education of said school district.

Sec. 16. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, be and the same are hereby repealed.

Approved February 9th, 1895.

No. 312.]

AN ACT

. [H. 370.

To amend sections 2, 3 and 4 of an act entitled an act to regulate the apportionment of the school fund in this State by the superintendent of education, approved February 10th, 1891, so far as relates to the counties of Clarke, Washington, Dallas, Talladega, Jefferson, Choc-taw, Montgomery, Calhoun, and Cleburne.

SECTION 1. Be it enacted by the General Assembly of Alabama, That section 2 of an act entitled an act to regulate the apportionment of the school fund in this State by the superintendent of education, approved February 10th, 1891, be amended so as to read as follows, to-wit: Section 2. That in lieu of township superintendents, the county superintendent shall appoint, under this law, a township trustee, who shall be a freeholder and a householder, resident in the township for which he is appointed.

SEC. 2. Be it further enacted, That section 3 of said act be amended so as to read as follows, to-wit: Section 3. That the county superintendent of education as soon as he receives the annual apportionment of the educational fund to his county, shall forthwith notify the trustee of each township or school district of the amount apportioned to the township or district.

SEC. 3. Be it further enacted, That section 4 of said act be amended so as to read as follows, to-wit: Section 4. That the township trustees, when he has established the schools in his township as now provided by law, shall apportion to each school so established such an amount of the public school revenue apportioned to the township for the current scholastic year as he may deem just and equitable, and for the equal benefit of the children thereof, between the ages of seven and twenty-one years. He shall determine the number and what children shall be transferred and shall set apart such an amount of money apportioned to his district to pay for such transferred children, as he may deem just and equitable; *Provided further*, that said township trustee is hereby exempt from road duty and poll tax.

SEC. 4. Be it further enacted, That this bill shall apply only to the counties of Clarke, Washington, Dallas, Talladega, Jefferson, Choctaw, Montgomery, Calhoun and Cleburne and that all laws and parts of laws in conflict with the provisions of this act, be, and the same are hereby repealed.

Approved February 13, 1895.

No. 334.]

AN ACT

[H. 1058.

To establish five additional branch agricultural experiment stations and agricultural schools, to be located in the first, fourth, fifth, sixth and ninth congressional districts respectively in the State of Alabama.

SECTION 1. Be it enacted by the General Assembly of Alabama, That five additional agricultural branch experiment stations and agricultural schools are hereby established to be located in the first, fourth, fifth, sixth and ninth congressional districts respectively in the State of Alabama.

SEC. 2. Be it further enacted, That the commissioner of agriculture, governor and superintendent of education shall locate said stations and schools one in each of said first, fourth, fifth, sixth and ninth congressional districts respectively,

SEC. 3. Be it further enacted, That the board of control of said stations and schools shall be composed of the commissioner of agriculture and the directors of the agricultural experiment stations at Auburn, Alabama, and five progressive farmers, who are actually engaged in cultivating the lands, the same to be appointed by the governor, three of whom must reside within ten miles of said stations. The members of the said board must not receive any compensation other than expenses actually incurred in visiting the stations and while there supervising their affairs.

SEC. 4. Be it further enacted, That the said board of control shall have power to pay the directors a reasonable salary for their supervision of said station, not exceeding two hundred and fifty dollars per annum, for each director, from the amount hereinbelow appropriated, and the said board of control shall also have power to elect the principal and teachers of said school and manage said schools and stations as in their judgment they think best.

SEC. 5. Be it further enacted, That for the equipment and improvement of said stations and schools there is hereby appropriated out of the agricultural fund in the treasury, not otherwise appropriated, an equal amount to the sum appropriated to each of the other agricultural schools and experiment stations in Alabama. *Provided*, there is so much in said fund not otherwise appropriated, one-fourth of such sum to be paid quarterly, to-wit: January 1st, April 1st, July 1st, and October 1st, of each year, to the treasurer of said board of control of said stations.

SEC. 6. Be it further enacted, That the board of directors shall have authority to purchase suitable lands not exceeding fifty acres for each of said stations, taking title to the State, and to construct thereon the necessary buildings and other improvements not to exceed one thousand dollars of the appropriation herein made for each of said stations and schools. The board shall also have authority to appoint and discharge at pleasure such officers, agents and servants as are deemed necessary to the operation of the stations, fixing their compensation, and may appoint a director, the operation of the stations under the superintendence and direction and subject to the rules and regulations of the board of control.

SEC. 7. Be it further enacted, That the board must cause such experiments to be made at said stations as will advance the interest of scientific agriculture and to cause such chemical analyses to be made as are deemed necessary. All such analyses, if requested to be made under the supervision of the commissioner of agriculture by the chemist of the agricultural department without charge.

SEC. 8. Be it further enacted, That said board of control may adopt such rules and regulations as they may deem necessary for the purpose of carrying out the provisions of this act.

SEC. 9. That no school and experiment station shall be established in either of said congressional districts until such district or the citizens thereof shall donate and convey to the State, for the use of such stations and schools, real estate or buildings, not less than five thousand dollars in value as approved by the commissioner of agriculture. *Provided*, that when the school is established in the sixth district, it shall be established under this bill, at Hamilton, Marion county, and that for the fifth district at Hayneville,

Lowndes county. Provided further, and when located, the Hamilton people shall make title to the State for the school building and eighty acres of land adjoining.

Approved February 18, 1895.

No. 335.]

AN ACT

[H. 216.

To change the western boundary line of the Clintonville school district in Coffee county, Alabama.

SECTION 1. Be it enacted by the General Assembly of Alabama, That from and after the passage of this act the line between sections twenty-two and twenty-three running north and south in township five, range twenty-one, shall be the western boundary line of said Clintonville school district.

Approved February 8th, 1895.

No. 343.]

AN ACT

[S. 225.

To establish the Pintlala school district in Lowndes county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That from and after the passage of this act there shall be established in the county of Lowndes the Pintlala school district, to be composed of all that portion of said county south of the Alabama river and east of the Tallawassee creek, and the north of Pintlala creek and north of a line beginning at Scott's bridge on Pintlala creek, and thence west along the Scott's bridge road to the intersection.

of said road with the Graves landing and Hayneville road, thence due west to Tallawassee creek.

SEC. 2. Be it further enacted, That the county superintendent of education of said county shall appoint five (5) trustees in and for said school district who shall be resident citizens and qualified voters of said district, and who shall hold their office from the first day of July next, 1895, for a term of two years, and until their successors are duly appointed by said superintendent. And these trustees shall have all the authority and exercise all the powers of township trustees as now or which may hereafter be provided by law.

Approved February 9th, 1895.

No. 375.]

AN ACT

[H. 624

To create a separate school district to be known as "Headland school district" in Henry county and to define the boundaries thereof.

SECTION 1. Be it enacted by the General Assembly of Alabama, that there is hereby created in Henry county a separate school district to be known as "Headland school district" composed of that portion of Henry county, Alabama, the boundaries of which shall be as follows: Beginning at the centre of the square of the town of Headland and running two and one half miles therefrom in all directions.

SEC. 2. Be it further enacted, That the superintendent of education of Henry county and his successor in office, be hereby authorized and empowered to appoint trustees, who shall be citizens within said district who shall perform all the duties now incumbent on township superintendents as to

public schools in said districts; and the said superintendent of education in Henry county, and his successor in office hereinafter, shall apportion to said school district the school fund in the same manner as is now provided by law for township and other school districts of this State.

SEC. 3. Be it further enacted, That said Headland school district shall be entitled to secure its proportionate share of all funds raised or appropriated by the State for public schools; also its proportionate share of the sixteenth section fund according to the territory of said district, and it shall receive all poll tax which may be collected from residents of said school district, and all funds which may be donated thereto.

Approved February 16th, 1895.

No. 389.]

AN ACT

[H. 663.

To establish a separate school district to be known as the Hulaco school district in Cullman county, Alabama.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district in Cullman county, Alabama, be and the same is hereby established to consist of the following territory, to-wit: Sections 33, 34, 35, 36, 25, 26, 27, 28, 24 and the south half of each of the sections 21, 22 and 23, all in township 8, range 1, west, and the northwest quarter of section 2, township 9, range 1, west.

SEC. 2. Be it further enacted, That the educational affairs of said school district shall be under similar control as that of the township districts of the State and shall be managed by three trustees who shall be elected by the qual-

ified electors of said school district in the same manner and under the same provisions as is by law established for Cullman county, Alabama.

SEC. 3. Be it further enacted, That the county superintendent of education of Cullman county shall appoint three trustees, residents of said school district to hold office until their successors shall be duly elected and qualified.

SEC. 4. Be it further enacted, That all laws and parts of laws in conflict with this act, be and the same are hereby repealed.

Approved February 16, 1895.

No. 391.]

AN ACT

[H. 640.

To create a separate school district in the county of Franklin, to be called Newburg public school district and to define the boundaries thereof.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate public school district be and the same is hereby created in the county of Franklin, to be known and called the Newburg public school district and that the boundaries of such district be known and designated as follows, to-wit: Commencing at the N. W. corner of section 31, township 6, range 10, west; thence east to the N. E. corner of section 36, on the west boundary of the county of Lawrence; thence south along said Lawrence county line to the southeast corner of section one township 7 range 10, west; thence west to the southwest corner of section six township 7 range 10, west; thence north to the beginning point.

Sec. 2. Be it further enacted, That said separate school district shall receive its share of the school funds of this state as provided for by law in proportion to the number of children within the educational age residing in said school district.

Sec. 3. Be it further enacted, That the trustees of the public schools in said township 6, range 10, west, shall discharge the duties of trustees of said Newburg school district until their successors are appointed or elected and qualified.

Approved February 16th, 1895.

No. 415.]

AN ACT

[s. 250.

To amend section ten of an act entitled an act to constitute the city of Anniston a separate school district and to provide a board of education therefor, approved January 28, 1891.

Section 1. Be it enacted by the General Assembly of Alabama, That section ten (10) of an act entitled an act to constitute the city of Anniston a separate school district and to provide a board of education therefor, approved January 28, 1891, be and the same is hereby so amended as to read as follows: Section 10. Be it further enacted, That said board of education shall have power to charge in any school that is now or may be hereafter established such incidental, matriculation or tuition fee or fees as may in the judgment of said board of education be necessary for the proper conduct of such school or schools, provided that no charge shall be made for tuition in any school already established and in operation.

Approved February 18th, 1895.

No. 458.]

AN ACT

[H. 912.]

To establish a separate school district in Coosa county in this state.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district to be known as the "Rockford school district" be established subject to the public school laws of the state of Alabama, to be composed of the following territory, viz.: Two (2) miles in each and every direction from the court house at Rockford in said state and county. That the said separate school district shall receive its proportionate share of the public school funds of said township including a pro rata share of the sixteenth (16th) section fund; and it shall also receive all the tax collected from the white people, as poll tax within the limits of the territory set forth; and the county superintendent of education shall set apart from the county school fund and disburse and use pro rata share exclusively for the maintenance of the public school of said separate school district.

Approved February 18th, 1895.

No. 459.]

AN ACT

[H. 936.]

To create a separate school district of Daviston in beat 17, T. 24, R. 24 in Tallapoosa county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That the following described territory in T. 24, R. 24, Tallapoosa county, Alabama, to-wit: Beginning at the Daviston high school academy and including all the

territory within a radius of two miles in every direction from said academy, it being the center of said district, to be known as the "Daviston School District."

Sec. 2. Be it further enacted, That said district shall have five trustees who shall be landholders and freeholders resident in said district, and who shall be elected on the first Monday in June, 1895, and every two years thereafter, and who shall hold office for a term of two years, and until their successors are elected and qualified; Provided, that said trustees shall be elected by the qualified voters who reside in the boundaries, as set out in section one of this act.

Sec. 3. Be it further enacted, That it shall be the duty of said trustees to establish and locate one school for the white race, and but one to be taught each year within said district and elect officers and teachers for the same, and to perform all other duties necessary to the proper organization, regulation and maintenance of said school, making contracts with teachers, and approving reports in the manner provided by the general school laws, for the trustees of townships; Provided, that said trustees may elect one of their number chairman of the board of trustees of said district, and that such chairman may contract with teachers, and approve reports as in the manner provided by the general school law for trustees of townships.

Sec. 4. Be it further enacted, That said school district shall be entitled to receive its proper, proportionate share of all funds, raised or apportioned by the state, or county for public schools. Also its proportionate share of the sixteenth section funds accruing to the township of which said school district is a part, and it shall receive all poll tax which may be collected from the white residents of said school district, and all funds which may be donated thereto.

Sec. 5. Be it further enacted, That the Daviston high school shall be the only school in said district for the white race.

Sec. 6. Be it further enacted, That this act shall not go into effect until the first day of October, 1895.

Approved February 18th, 1895.

No. 538.]

AN ACT

[H. 781.

To establish Pleasant Hill school district in Jefferson county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That the Pleasant Hill community, comprising parts of township 19, ranges 4 and 5, and township 20, ranges 4 and 5, W, in Jefferson county, Alabama, shall constitute a separate school district, to be known as the Pleasant Hill school district with the following boundaries, to-wit: Beginning at Mobile Junction on the A. G. S. R. R., in T. 19, R. 4, W., and running along the E. T. & Va., railroad to Shades creek, thence down and along said Shades creek to the bridge across said creek on the public road at Anderson's Mill place, thence west along said public road, via. of William's precinct, and on across the A. G. S. railroad to the intersection with the Huntsville road at the Hick's place; thence in a northern direction to the top of Rock mountain, where the public road from McCalla to Simon Seller's farm crosses said mountain; thence N. E. along the top of said Rock mountain to a point on said mountain nearest James R. McClinton's farm, thence in an eastern direction along a line including the farms now belonging to J. R. McClinton, Jordan Cox, J. E. Parsons and

Charles Fitzpatrick, and on to Mobile Junction, the place of beginning.

Sec. 2. Be it further enacted, That said Pleasant Hill school district shall have its proportional share of all school funds accruing to T. 19, ranges 4 and 5, W. and T. 20, ranges 4 and 5, W, according to the number of children within the educational age, and it shall be managed and controlled as other townships and school districts, by and under the school laws of the state of Alabama.

Sec. 3. Be it further enacted, That three trustees shall be appointed by the county superintendent of education in and for said district on or before the 1st day of August, 1895, whose term of office shall begin the first day of August, 1895, and continue until their successors are appointed and qualified in 1897. Said trustees in the beginning of each school year shall establish or locate one school at Pleasant Hill for the white children of said district, and but one for said race in the district, and shall employ all the teachers needed to teach the white children of said district in said school. They shall either locate a school for the colored children of the district or transfer them to public schools located in other townships or districts as they may deem best. They shall have the immediate supervision of the schools of the district and shall perform all the duties required by law of trustees of townships.

Approved February 18th, 1895.

No. 7.)

AN ACT

(H. 66.

To establish a separate school district and define its boundaries in Etowah county.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as the Smith's Chapel School District, be established in Short Creek Precinct, Etowah county, and to be subject to the public school laws of the State of Alabama, and described as follows, viz: Beginning at the northwest corner of the northeast $\frac{1}{4}$ of section 2, township 10, range 5 east; thence due east on the county line between the counties of Etowah and DeKalb, till it strikes the east top of Sand Mountain; thence in a southerly direction along the top of Sand Mountain to the southeast corner of the northeast $\frac{1}{4}$ of section 17, township 10, range 6 east; thence west to the north and south line of section 18, township 10, range 6 east; thence south to the southeast corner of said section 18; thence west to the southwest corner of section 13, township 10, range 5 east; thence north to the southwest corner of section 12, township 10, range 5 east; thence west to the southwest corner of section 11, township 10, range 5 east; thence north to the northwest corner of said section 11; thence east to the southwest corner of the southeast $\frac{1}{4}$ of section 2, township 10, range 5 east; thence north to the beginning.

Sec. 2. Be it further enacted, That the county superintendent of education of Etowah county shall appoint three trustees who are householders of said district, who shall serve until the next election provided for by law for the election of township trustees in Etowah county, at which time the qualified electors of said district shall elect three trustees who shall

be householders of said district; said trustees shall be governed by the laws governing township trustees.

Sec. 3. Be it further enacted, That the county superintendent of education of said county shall set apart from the public fund of said county the pro rata share of the school fund and the poll tax collected in said district, together with interest of the sixteenth section fund for said district, as provided in the laws governing the public schools in the State of Alabama.

Approved November 25th, 1896.

No. 8.)

AN ACT

(H. 56.

To establish a separate school district in Clarke county, to be known as Fort Madison School District.

Section 1. Be it enacted by the General Assembly of Alabama, That the following territory in Clarke county be and constitute a separate school district: Sections 1, 2, 11 and 12, in township 6 north, range 3 east; sections 5, 6, 7 and 8, in township 6 N., range 4 E.; sections 25, 26, 35 and 36, in township 7 N., range 3 E.; sections 29, 30, 31 and 32 in township 7 N., range 4 E. Said school district shall be known as the Fort Madison School District and shall be governed by the general public school laws of the State to the same extent and in the same manner as if the said territory was a township division.

Sec. 2. Be it further enacted, That the said school district shall receive its proportionate share of the public school revenue of said townships pro-rated with reference to the territory taken from each, including its share of the sixteenth section

funds, the poll tax funds, and all other public school funds belonging, or hereafter to belong to, the said townships.

Approved November 25th, 1896.

No. 13.)

AN ACT

(H. 140.

To amend an act entitled "an act to constitute the city of Tuscaloosa a separate school district, and to provide for the management of the public schools in said school district, approved February 17, 1885, by the addition of Section 14 in reference to the receipt and disbursement of the school fund of said district, and section 15 in reference to the taking of the school census.

Section 1. Be it enacted by the General Assembly of Alabama, That an act approved February 17, 1885, and entitled "an act to constitute the city of Tuscaloosa a separate school district, and to provide for the management of the public schools in said school district" be, and the same is hereby amended by the addition thereto of sections 14 and 15, to read as follows:

Sec. 14. Be it further enacted, That the school funds for said separate school district provided for by section 2 of this act, shall be paid during the months of October, November, December, January, February and March or as soon thereafter as practicable to the treasurer or other officer appointed for that purpose by the board of education, and such moneys shall be disbursed in the interests of the public schools in said district in such manner as the board of education may direct.

Sec. 15. Be it further enacted, That the superintendent shall attend to the taking of the school census in said district

(with such assistance as may be allowed him by the board of education), the compensation allowed for the taking of such census not to exceed five cents for each person enumerated, to be paid out of said school fund, said census shall be taken for said district in the month of April in each odd year, beginning with 1897, and it shall be the duty of the superintendent to make full and complete reports to the State superintendent of education, and to discharge such other duties not inconsistent with this act, as the board of education may prescribe.

Approved November 27th, 1896.

No. 38.)

AN ACT

(H. 40.

To create a separate school district in the town of Oakman, Alabama, to define the boundaries thereof and provide for the maintenance of schools thereof.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district, be and the same is hereby established in the town of Oakman, Alabama, the boundaries of which shall embrace an area as follows: Commencing with and including sections 16, 17, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33 and 34, all in township 15, range 8 west, situate in Walker county.

Sec. 2. Be it further enacted, That the said school district shall be entitled to receive its proportionate share of all funds raised or appropriated by the State for public schools, also its proportionate share of the sixteenth section fund accruing to the township of which said school district is a part, and it shall receive all poll tax which shall be collected from residents of

said school district, and all funds which may be collected from residents of said school district, and all funds which may be donated thereto.

Sec. 3. Be it further enacted, That the public schools of the school district of the town of Oakman, shall be under the charge of a board of education to consist of six persons, residents of said districts, one of whom shall be elected president by the board, said board to be elected by the mayor and board of aldermen of Oakman at their first regular meeting in January, or soon thereafter as practicable. The first three elected shall hold their said office for the term of two years and until their successors are elected and qualified, and at each regular meeting in the month of January each year, they shall elect three suitable persons to succeed those whose office has expired, so that three of such persons shall be elected annually.

Sec. 4. Be it further enacted, That each member of said board of education shall, upon entering upon the duties of office, subscribe an oath to faithfully discharge all the duties enjoined upon him by law as such. Said oath may be administered by the mayor of said town.

Sec. 5. Be it further enacted, That said board of education shall have power to build upon the school property of the town suitable buildings for the use and accommodation of the public schools, or to rent such houses and to keep such houses in repair, and to furnish the same with proper furniture and apparatus, but said public school building or buildings, except buildings for colored children, shall under no circumstances be located and erected more than one-fourth of a mile from the central point of the town of Oakman, when in their judgment it is necessary and the financial condition of said district will justify them in so doing.

Sec. 6. Be it further enacted, That said board of education shall have power 1st. to open one school for white children, and one for children of African descent. Said board may locate buildings for colored children at any point most convenient for the greatest number of such children in said district, elect the principals and all teachers, fix their compensation and prescribe their duties, dictate course of instruction, to prescribe rules and regulations for the government of the schools and to exercise such additional powers as will be necessary to give it complete control of the public schools of the district. 2nd. To issue certificates of proficiency to all persons who satisfactorily complete the course of study prescribed for the public schools of said district. 3rd. The board of education to charge in the several grades, in said school such incidentals or other fees as they may deem necessary for the proper conduct of said schools.

Sec. 7. Be it further enacted, That the children and wards of all actual residents within the district limits of said school district from seven to twenty-one years of age shall be entitled to seats as pupils in the public schools of said district, provided said children shall themselves be bona fide residents of said district, and non-resident children may be admitted into such schools on such terms and conditions as the board of education may prescribe, but separate schools shall be provided for the children of citizens of African descent.

Sec. 8. Be it further enacted, That all the funds devoted to public school purposes in the school district in the town of Oakman derived from said town and district, shall be paid in to the treasurer of said town, where they shall be kept separate and distinct from all other funds belonging to said town, and shall be disbursed in such manner as the board of education may direct, and all other funds devoted to public school pur-

poses in the school district in the town of Oakman, whether derived from State or county, shall be disbursed by the county superintendent of education in the same manner as is now provided by law, except that it shall be done by order of the board of education of said school district.

Sec. 9. Be it further enacted, That the mayor and aldermen of the town of Oakmen are hereby authorized and empowered to levy and collect a tax upon the property within the district limits for the maintenance of said schools, to such amount as said corporate authorities may deem advisable within constitutional limits, but in no instance shall any of the funds arising from the taxes of white people be divided with the colored children, nor shall any part of funds arising from the taxes of the colored people be given to the white children. Such funds shall be kept separate and each race receive its own funds.

Sec. 10. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

Approved December 3rd, 1896.

No. 76.)

AN ACT

(H.122.

To establish a board of education to select a uniform series of text books for the counties of Etowah and Cherokee and to regulate the duties of said board.

Section 1. Be it enacted by the General Assembly of Alabama, That the superintendents of education of the counties of Etowah and Cherokee shall, within ninety days from the passage of this act, call a special board of education to be

composed of four of the most thorough and efficient first grade teachers of said counties, and that the superintendents of education shall be ex-officio members of said school boards, whose duty it shall be to select a uniform series of standard school books to be hereafter used in the public schools of said counties.

Sec. 2. Be it further enacted, That each member of said board of education while engaged in the business aforesaid shall be compensated for his services one dollar a day out of any funds of the county treasury and shall be paid for mileage the same amount as is paid each of the grand jury.

Sec. 3. Be it further enacted, That at such meetings so called for said purpose, such persons who attend said meetings be and are hereby authorized to make such selections, and if no one attend said meetings, then it shall be the duty of the superintendent to make such selections. Said adopted text books shall not be changed thereafter for five years except by a three-fourths vote of said board at a meeting called by the county superintendent for that purpose, of which meeting thirty days notice shall be given. The county superintendents shall make record of such adoption and shall keep a copy of same in their offices. It shall be the duty of the county superintendents to furnish the teachers and school officers in the counties with a list of the text books adopted by the said boards of education and to see that the adopted list of text books is established and maintained in use in the public schools of the counties and they shall require the teachers to state in their reports whether or not the adopted books are used in the schools under their charge, and a neglect on the part of the teachers to use the adopted text books shall be deemed a sufficient cause for the cancellation of their certifi-

cates, provided, nothing in this act shall be so construed as to prevent any person, firms or corporations dealing in books from competing for the furnishing of books in the public schools in said counties and the lowest and best bid shall be adopted.

Sec. 4. Be it further enacted, That no member of county school boards shall be permitted to act as an agent of any publisher or dealer in school books, nor receive any pecuniary benefits therefrom, and any member of said boards who violates the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than one hundred nor more than five hundred dollars and shall be dismissed from said board.

Sec. 5. Be it further enacted, That this act shall take effect and be in force from and after its passage, and all laws and parts of laws in conflict with the same are hereby repealed.

Approved December 8th, 1896.

No. 77.)

AN ACT

(H. 126.

To establish a uniform series of standard school books to be used in the public schools of Jackson county.

Section 1. Be it enacted by the General Assembly of Alabama, That the educational board of Jackson county is hereby authorized to make such selections of standard school books as judgment of said board may thing best, which shall be the only books to be used in the public schools in Jackson county.

Sec. 2. Be it further enacted, That the superintendent of education of said county shall correspond with publishing houses of standard school books for the prices and shall submit

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to the educational board the different prices received by him from different publishing companies.

Sec. 3. Be it further enacted that the educational board shall of the books and prices submitted select a series of standard school books which shall be used by all the public schools of Jackson county for a period of not less than four years.

Sec. 4. Be it further enacted, That the superintendent of education of said county, in corresponding with publishing companies for prices of standard school books, shall ascertain from publishing houses what they or any of them will allow in exchange for old books, if anything.

Sec. 5. Be it further enacted, That after a uniform series of standard school books have been selected for said county, it shall be unlawful for the superintendent of education to pay or cause to be paid any money appropriated by said county or State of Alabama for the use of public schools to any teacher who fails or neglects to endeavor to put into use or refuses to permit pupils in his school to use such series of standard school books as shall have been selected as aforesaid.

Sec. 6. Be it further enacted, That after a uniform series of standard school books shall have been selected, the superintendent of education shall notify all teachers of public schools of Jackson county of such selection and furnish each with a list of books selected with prices of each as quoted to him.

Sec 7. Be it further enacted, That the educational board may from time to time change the standard school books to be used in the public schools in said county, provided that such changes shall not be made oftener than once every four years.

Approved December 9th, 1896.

No. 83.)

AN ACT

(H. 238.

To establish Big Spring School District in Madison county.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as the Big Spring School District in Madison county, be and the same is hereby established, which district shall be composed and consist of the following territory, to-wit: Beginning at the northwest corner of section 29, in township (1), range (2) west, and running from thence south with the section line to the southwest corner of section (5), in township (2), range (2) west; thence east with the section line to the quarter section line in section (1); thence north with said quarter section line dividing (24) and (25) in township (1), range (2) west; thence running west with said section line to the beginning, and including in the whole sections 26, 27, 28, 29, 32, 33, 34, 35, township one (1), and also sections 2, 3, 4 and 5, in township (2), and also a strip a quarter of a mile wide off of the west side of sections 1, 36, and 25, all being composed of a part of township one (1), range 2 west, and township 2, range 2 west.

Sec. 2. Be it further enacted, That the educational affairs of said district shall be under the same rules and regulations as now provided by law.

Approved December 9th, 1896.

No. 84.)

AN ACT

(H. 227)

To establish a separate school district in Dale county, known as the Sylvan Grove School District, and fix the boundaries for the same.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as the Sylvan Grove School District, be established subject to the public school laws of Alabama, in Dale county, Alabama, embracing the Sylvan Grove Academy, and the territory surrounding the same where the Henry county line crosses Blackwood's Creek; thence west down said creek to the Choctawhatchie river; thence west down said river to the mouth of Kelly's Mill creek; thence up said creek to where it forks; thence east up left hand fork of said creek to its lead (or uppermost spring) near J. P. Carlisle's plantation; thence due east until it strikes the Henry county line; thence north along said line to point of beginning.

Sec. 2. Be it further enacted, That said school district shall be governed by three trustees appointed by the county superintendent of education of county in which said school district is located, and said trustees shall be residents of said school district.

Sec. 3. Be it further enacted, That said trustees shall have power to establish one or more schools in said school district.

Sec. 4. Be it further enacted, That the appropriations and other funds for school purposes for children residing in said district, and for the children of contiguous school districts or townships who may be transferred to any school in said school district, shall be used in said district as provided by law.

Sec. 5. Be it further enacted, That all laws and parts, in conflict with the provisions of this act, be and the same are hereby repealed.

Approved December 9th, 1896.

No. 86.)

AN ACT

(H. 50.

To establish the Enon School District in Bullock county.

Section 1. Be it enacted by the General Assembly of Alabama, That from and after the passage of this act there shall be established in Bullock county the Enon School District, to be composed of township fourteen (14), range twenty-five (25) and that part of township fourteen (14) range twenty-six (26) which is situated in Bullock county.

Sec. 2. Be it further enacted, That the county superintendent of education shall appoint three (3) trustees in and for said school district, who shall hold their office from the first day of October next, for a term of two years, and until their successors are duly appointed by said superintendent, and these said trustees shall have all the authority and shall exercise all the powers of township trustees, as now or may be hereafter provided by law.

Approved December 9th, 1896.

No. 87.)

AN ACT

(H. 5.

To establish a separate school district in Etowah county, and define the boundaries thereof

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district shall be established to be known as the Glencoe School District, subject to the public school laws of the State of Alabama, and described as follows, viz: Beginning at a point on the Coosa river where the north line of section 16, township 12, range 7 east, intersects the south or west bank of said river, thence west along the north line of sections 16, 17, and 18 in township 12, range 7, east, and along the north line of sections 13 and 14, township 12, range 6 east, to the half mile post at the middle of the north side of said section 14, township 12, range 6 east; thence south along north and south center lines of sections 14 and 23, township 12, range 6 east, to the bank of the Coosa river; thence down the said bank of the Coosa river to the north and south center line in section 2, township 13, range 6 east; thence south along said center line to the half mile post in the south line of said section 2, township 13, range 6 east; thence along the south lines of section 2 and 1, and township 13, range 6 east, and along the south lines of sections 6, 5 and 4, to the county line between the counties of Etowah and Calhoun; thence in a northerly direction with said county line to the north and south center line through section 34, township 12, range 7 east; thence north along the north and south center lines through sections 34, 27, 22, and 15 to the south bank of the Coosa river; thence down said river bank to the beginning point.

Sec. 2. Be it further enacted, That the county superin-

tendent of education of Etowah county shall, after the approval of this act, appoint three trustees who are resident householders of said school district, who shall serve until the next election provided for by law for the election of township trustees in Etowah county, at which time the qualified electors of said district shall elect three trustees who shall be resident householders of said district. Said trustees shall be governed by the law governing township trustees.

Section 3. Be it further enacted, That the county superintendent of said county shall set apart from the public school fund of said county the pro rata share of the school fund and poll tax collected in said school district, together with the interest of the sixteenth section fund for the said district school, as provided by the laws governing the public schools of the State.

Approved December 9th, 1896.

No. 90.)

AN ACT

(H.197.

To create a separate School District out of the territory within two miles of the Court House in the city of Ozark, in the county of Dale.

Section 1. Be it enacted by the General Assembly of Alabama, That all that territory in the county of Dale within two miles in every direction from the centre of the court house in Ozark, shall constitute the Ozark School District.

Sec. 2. Be it further enacted, That the mayor and aldermen of the city of Ozark shall annually, on the first day of June of each and every year, elect three trustees for such district, who shall be householders and freeholders residing with-

in such district, who shall hold their offices and discharge the duties thereof for one year.

Sec. 3. Be it further enacted, That the said Ozark School District shall be entitled to its proportionate share of all funds raised or apportioned by the State for public schools; also its proportionate share of the sixteenth section fund accruing to the township of which said school district is a part and it shall receive all poll taxes which may be collected from residents of said school district and all funds which may be donated to it.

Sec. 4. Be it further enacted, That it shall be the duty of the superintendent of public instruction for the county of Dale to recognize the said district in all respects as if it were a township and to pay to the trustees thereof all the funds to which said district may be entitled under this act.

Sec. 5. Be it further enacted, That the said trustees shall perform all the duties as such trustees which are required of trustees of public schools for the several townships in this State as well as those which may be required of them by any law having special reference to said district.

Approved December 9th, 1896.

No. 111)

AN ACT

(H. 276.

To establish Huffman School District in Jefferson County,
Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That the Huffman community, comprising parts of township 16, ranges 1 and 2 and township 17, ranges 1 and 2 west, in Jefferson county, Alabama, shall constitute a separate

school district, to be known as the Huffman School District, with the following boundaries, to-wit: Beginning at the Wilson branch, near Wilson's dairy, in township 17, range 2, west, and running in a southeast direction to the nearest point on the top of Red Mountain; thence in a north-east direction along said mountain to the John Edward spring; thence northwest on a line so as to include Watt T. Riddle's farm, in said district, to the head of Dry creek; thence down said Dry creek to its intersection with Five Mile creek, thence in a southeast direction to Wilson's branch, the point of beginning.

Sec. 2. Be it further enacted, That said Huffman School District shall receive its proportionate share of all school revenues, and its own poll tax, and shall be managed and controlled as other school districts under the school laws of Alabama.

Sec. 3. Be it further enacted, That three trustees shall be appointed by the county superintendent of education in and for said district on or before the first day of August, 1897, whose term of office shall begin 1st day of August, 1897, and continue until their successors are appointed and qualified, the 1st of October, 1899, as required by the school law of the State. Said trustee shall have taught each year one school, and but one, for the white race, and shall use all the public school fund of the district apportioned to the white schools in maintaining said school. They may have the colored children taught either in a school located by them in the district, or may transfer them to schools located in other districts. They shall employ all teachers needed to teach the children in the schools established by them in the district, and shall have immediate supervision of said schools and shall perform all the duties required by law of trustees of townships.

Approved December 9th, 1896.

No. 112)

AN ACT

(H. 277)

To establish a School District to be known as the Gate City School District of Jefferson County.

Section 1. Be it enacted by the General Assembly of Alabama, That precinct 36, in township 17, range 2, west, in Jefferson county, Alabama, be constituted a separate school district, known as the Gate City School District of Jefferson county.

Sec. 2. Be it further enacted, That said school district shall receive its share of all school revenues and its own poll tax, and shall be managed and controlled by a board of three trustees, to be appointed by the county superintendent of education, as in other school districts under the school laws of Alabama.

Sec. 3. Be it further enacted, That the trustees shall have taught each school year in said district one school for the white children and one for the colored children of the district, and but one for each race, by teachers employed by said trustees and all the school funds due said district each year shall be used for the maintenance of said schools justly and equitably, as the law directs.

Approved December 9, 1896.

No. 121)

AN ACT

(S. 75)

To amend an act approved February 21st, 1893. To authorize the Probate Judge of DeKalb, Limestone and Crenshaw counties to call a special school board of education to select a uniform series of standard school books to be used in the public schools of DeKalb, Limestone and Crenshaw counties, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That an act to amend an act entitled an act, approved February 21st, 1893. To authorize the Probate Judge of DeKalb, Limestone and Crenshaw counties, to call a special school board of education to select a uniform series of standard school books to be used in the public schools of DeKalb, Limestone and Crenshaw counties, Alabama, that section 9 be amended so as to read as follows: Be it further enacted that said board of education of DeKalb county shall continue the standard school books now in use in DeKalb county until otherwise provided by law.

Approved December 9, 1896.

No. 123)

AN ACT

(S. 25

To establish a County School Book Board to select a uniform series of text books for use in the public schools in the county of Winston.

Section 1. Be it enacted by the General Assembly of Alabama, That the probate judge, county superintendent of education, and three competent and efficient teachers, to be selected by the county superintendent of education, in the county of Winston, shall constitute county school book board for the purpose of adopting a series of text books for uniform use in the public schools of said county, supported wholly or in part by public money except, separate school districts established by special act of the legislature, and authorized to adopt a uniform series of text books. The judge of probate shall be chairman, and the county superintendent of education, clerk, and ex-officio member of said board. Said county

school book board so constituted shall meet at the county seat, on the first Monday in May, 1897, for the purpose of carrying out the provisions of this act, but if a quorum of said board is not present at such meeting said board shall adjourn to meet some time during the month of June in said year. The judge of probate shall give due notice of the time and place of such meeting.

Sec. 2. Be it further enacted, That said county school book board shall at the regular or adjourned meeting as prescribed in the foregoing section, select and adopt one complete series of text books in each of the several branches of study taught in the public schools of the county, from the list of the school book publishers offering the lowest and most satisfactory terms for introduction and exchange; provided, that all publishers shall furnish a full list and prices of their books and no text book containing anything partisan, prejudicial or inimical to the interest of the people of the State, or cast a reflection on their past history, and such series of text books so adopted shall be established and made uniform in all of the public schools of the county. Said adopted text books shall not be changed thereafter, for five years except by a three-fourths vote of said board, at a meeting called by the judge of probate for the purpose of which thirty days notice shall be given. The county superintendent of education shall make a record of said adoption and the judge of probate shall keep a copy of the same in his office. It shall be the duty of the county superintendent of education to furnish the teachers and school officers in the county with a list of the text books adopted by the county school book board, and to see that the adopted list of text books is established and maintained in use in the public schools of the

county, and he shall require each teacher to state in his report whether or not the adopted books are used in the schools under his charge, and a persistent neglect on the part of the teacher to use the adopted text books shall be deemed a sufficient cause for the cancellation of his certificate; provided nothing in this act shall be so construed as to prevent any person, firms, or corporation dealing in books from competing for the furnishing of books for public schools in said counties, and the lowest bid and best books shall be adopted.

Sec. 3. Be it further enacted, That no member of the county school book board shall be permitted to act as an agent of any publisher or dealer in school books, nor receive any pecuniary benefits therefrom, and any member of said board guilty of violating the provisions of this section, shall be fined not less than ten dollars and be dismissed from the board.

Sec. 4. Be it further enacted, That this act shall take effect and be enforced from and after its passage, and all laws special and general in conflict with the same are hereby repealed.

Approved, December 9, 1896.

No. 141)

AN ACT

(S. 46

To repeal an act entitled an act to constitute the town of Alco, in Escambia county, Alabama, a separate school district.

Section 1. Be it enacted by the General Assembly of Alabama, That an act entitled "an act to constitute the town of Alco, Escambia county, Alabama, a separate school district,"

approved February 27, 1889, be and the same is hereby repealed.

Approved December 9, 1896.

No. 146)

AN ACT

(S. 40

To amend section nine of an act, approved February 18th, 1895, to establish five additional branch agricultural experiment stations and agricultural schools to be located in the first, fourth, fifth, sixth and ninth congressional districts respectively in the State of Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That section 9 of an act, entitled an act to establish five additional branch agricultural experiment stations and agricultural schools to be located in the first, fourth, fifth, sixth and ninth congressional districts respectively in the State of Alabama, be amended so as to read as follows: Section 9. That no school or experiment station shall be established in either of said congressional districts until such district or the citizens thereof shall donate and convey to the State for the use of such station and school real estate and buildings not less than five thousand dollars in value to be approved by the commissioner of agriculture. Provided that when the school is established in the sixth district it shall be established under this bill at Hamilton, Marion county, and that for the fifth district at Alexander City, Tallapoosa county; provided further that when located at Hamilton the people at Hamilton shall make title to the State for school building and eighty acres of land adjoining, and when located at Alexander City the people of that city shall make title to the State for the

school building and lot on which it is located and eighty acres of land adjacent or as nearly adjacent as may be procured suitable for said station to be approved by commissioner of agriculture, and in addition thereto shall pay to the treasurer of the board of control of said station and school two thousand dollars on demand in money to be used as provided in this act in erecting buildings and in the equipment and improvement of the school and station, provided further that in the event any other place in the fifth congressional district shall within thirty days from the passage of this act tender to the governor, superintendent of education and the commissioner of agriculture a donation of property and money equal to the amount stipulated in this act as the donation of Alexander City, then the governor, superintendent of education and commissioner of agriculture shall consider such tender of donations and shall locate said fifth congressional district agricultural experiment station and agricultural school at such place in the fifth congressional district as in their judgment offers the greatest inducement as to value of donations and desirability of location.

Approved December 9, 1896.

No. 159)

AN ACT

(S. 2

To establish a separate school district, to be known as Flat Rock District, in Winston and Cullman counties.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as the Flat Rock School District, in Winston and Cullman counties,

Alabama, be and the same is hereby established, to consist of the following territory, to-wit: Commencing at the county line between Winston and Cullman where it crosses Crooked Creek in township 11, range 6, west; thence down Crooked Creek, running southwest to Rock creek; thence down Rock creek, running southeast to the mouth of Broglin creek back to the county line; thence up Broglin creek in Cullman county, running through township 12, range 5 west, to Alexander's mill; thence due east to the Jasper road; thence due north along said road running due north to the old Inman road; thence down said road to Crooked creek, near A. L. Inman's; thence down Crooked creek to the starting point.

Sec. 2. Be it further enacted, That the educational affairs of said school district shall be under the control of a board of trustees, consisting of three persons elected as hereinafter provided, which board shall have the authority to locate and establish one permanent school, so as to accommodate as many of the youth as possible, in said school district, to grade said school, to employ teachers, and to make such rules and regulations for said school district as to them may seem best and not to conflict with the laws of the State of Alabama. The State superintendent shall furnish said board such books and blanks as are furnished county superintendents of education.

Sec. 3. Be it further enacted, That school district shall be entitled to receive its proportionate share of all the funds raised or appropriated by the State for public schools, and shall also receive its pro rata of the sixteenth section interest accruing to the townships from which said district is composed, and it shall receive all poll tax which may be collected from residents of said school district, and all funds which may be donated to said district. All funds for said school district

shall be paid to the treasurer, who shall receipt for the same, and the superintendent of education of the State, or other proper State officer, shall give the necessary orders and instructions and issue the necessary warrants or certificates to secure the payment to said school district of all the funds to which it may be entitled from the State or from poll tax, direct to the treasurer of the district.

Sec. 4. Be it further enacted, That G. W. Single, A. J. Morrow and S. O. Jennings shall constitute a board to hold an election at some public place in said district, to choose three trustees for said school district after they have first given ten days notice of the time and place of holding the same, by posting notices of said election at three public places in said district: Provided, that such election is held without expense to Cullman or Winston counties, or the funds of said school district. On the day appointed for such election, the persons above named, or any two of them, shall cause such election to be held by ballot within the hours advertised for said election, and at the hour advertised in the notices of said election for the same to close, shall close the election and announce the result of the same, and certify the names of the person elected to the county and the State board of education.

Sec. 5. Be it further enacted, That the trustees so elected shall hold office until the last Monday in October, 1898, or until their successors are elected and qualified. That none but a freeholder, who shall also be a qualified elector, shall be eligible to be elected as a member of said board, and no one shall be allowed to vote at the election of said board, who is not a qualified elector under the laws of the State. The trustees shall receive no compensation for their services, ex-

cept such privileges and benefits as are by law given to township trustees.

Sec. 6. Be it further enacted, That within ten days before the last Monday in October, 1898, the board of trustees of said district shall appoint three persons in said district to hold an election for trustees of the said school district for the ensuing two years, of which notice shall be given as provided in section three of this act, and which election, and all subsequent elections shall be held according to the provisions of section three of this act.

Sec. 7. Be it further enacted, That the trustees and treasurer of said school district shall take the oath of office prescribed by law, for all officers in this State, before entering upon the duties of their offices, and immediately thereafter, shall proceed to organize by electing one of their number president of the board and by electing one suitable person, whether of the board or not, as secretary of the board, and treasurer of the district, which officers may be held by one and the same person if the board so elects. The term of services of the treasurer and secretary shall be during the continuance in office of the board which elects them, but they may be removed by the board at any time. The board shall require of the treasurer a bond in such amount as may be fixed by them, not less than double the amount of funds that may be in his custody at any one time, payable to the school district and conditioned to safely keep, and to disburse according to law all money that may come into his hands as treasurer of the school district, which bond shall be approved by the board and filed with the president of the board, and a copy of the same, certified by the president and secretary of the board shall be filed in the office of the State superintendent of

education. The treasurer shall receive two per cent. of all the funds disbursed by him as compensation for his services.

Sec. 8. Be it further enacted, That this act shall take effect from the date of its approval, Provided; That any pro rata balance remaining in the hands of the county superintendent of education of Cullman and Winston counties for the scholastic year ending September 30th, 1896, from said townships from parts of which said school districts is composed shall be paid to the treasurer of said school district; and provided further, that the trustees of said school district shall not have power, to alter or change any contracts with teachers within any territory composing said school district in existence at the time of the approval of this act.

Sec. 9. Be it further enacted, That the said board of trustees shall make annual reports to the superintendent of education, the same as required of county superintendents.

Sec. 10. Be it further enacted, That when this act is silent, or does not make provisions in conflict with the existing laws of the State for the government of township trustees, such existing general provisions of the law shall govern the action of the board of trustees of said school district.

Sec. 11. Be it further enacted, That all laws and parts of laws in conflict here, be, and the same are hereby repealed.

Approved December 9, 1896.

No. 162)

AN ACT

(S. 187)

To create the town of Edwardsville, in Cleburne county, a separate school district.

Section 1. Be it enacted by the General Assembly of Alabama, That the town of Edwardsville, in Cleburne county, including all the territory within two miles of the courthouse in said town, in every direction, shall be and the same is hereby declared a separate school district.

Sec. 2. Be it further enacted, That the public schools within said district shall be under the supervision and control of a board of trustees consisting of seven members, to be elected by the mayor and councilmen of the town of Edwardsville, and they shall hold their office for a term of five years, and until their successors are elected and qualified.

Sec. 3. Be it further enacted, That the first board of trustees for said school district shall be elected by the said board of mayor and councilmen of said town, within thirty days after the passage of this act, or as soon thereafter as practicable, and an election shall be held thereafter by said mayor and councilmen every five years on the first Monday in July, for the purpose of electing the members of said board of trustees.

Sec. 4. Be it further enacted, That no public school shall be established within said school district, except by the direction of said board of trustees; and the county superintendent of said county shall make or approve no contract with any person to teach a public school within said district, except such as have been employed by the board of trustees, and have made contract with said board of trustees.

Sec. 5. Be it further enacted, That said school district

education. The treasurer shall receive two per cent. of all the funds disbursed by him as compensation for his services.

Sec. 8. Be it further enacted, That this act shall take effect from the date of its approval, Provided; That any pro rata balance remaining in the hands of the county superintendent of education of Cullman and Winston counties for the scholastic year ending September 30th, 1896, from said townships from parts of which said school districts is composed shall be paid to the treasurer of said school district; and provided further, that the trustees of said school district shall not have power, to alter or change any contracts with teachers within any territory composing said school district in existence at the time of the approval of this act.

Sec. 9. Be it further enacted, That the said board of trustees shall make annual reports to the superintendent of education, the same as required of county superintendents.

Sec. 10. Be it further enacted, That when this act is silent, or does not make provisions in conflict with the existing laws of the State for the government of township trustees, such existing general provisions of the law shall govern the action of the board of trustees of said school district.

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To create the town of Edwardsville, in Cleburne county, a separate school district.

Section 1. Be it enacted by the General Assembly of Alabama, That the town of Edwardsville, in Cleburne county, including all the territory within two miles of the courthouse in said town, in every direction, shall be and the same is hereby declared a separate school district.

Sec. 2. Be it further enacted, That the public schools within said district shall be under the supervision and control of a board of trustees consisting of seven members, to be elected by the mayor and councilmen of the town of Edwardsville, and they shall hold their office for a term of five years, and until their successors are elected and qualified.

Sec. 3. Be it further enacted, That the first board of trustees for said school district shall be elected by the said board of mayor and councilmen of said town, within thirty days after the passage of this act, or as soon thereafter as practicable, and an election shall be held thereafter by said mayor and councilmen every five years on the first Monday in July, for the purpose of electing the members of said board of trustees.

Sec. 4. Be it further enacted, That no public school shall be established within said school district, except by the direction of said board of trustees; and the county superintendent of said county shall make or approve no contract with any person to teach a public school within said district, except such as have been employed by the board of trustees, and have made contract with said board of trustees.

Sec. 5. Be it further enacted, That said school district

shall be entitled to receive for the use and benefit of the public schools therein, the entire poll tax collected from the citizens residing within said school district, and also its proportionate share of all other school funds of said county from whatever source accruing; the same to be applied to the maintenance and support of the public schools of said district, to be paid and disbursed in the same manner as schools funds are paid out under the general laws of this State.

Sec. 6. Be it further enacted, That the board of trustees of said district shall elect one of their number president of the board, and may elect one of their number secretary; and said board shall perform the duties of township trustees in regard to the public schools of said district; and any and all other acts and duties necessary to be done for the maintenance and control of the public schools of said district; but they shall establish but one school for each of the white and colored races within said district.

Sec. 7. Be it further enacted, That said board of trustees shall before entering upon the discharge of the duties of their office, take and subscribe the same oath that public officers are required to take and subscribe under the general laws of this State, which shall be filed in the office of the probate judge of said county.

Sec. 8. Be it further enacted, That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

Approved December 9, 1896.

No. 164)

AN ACT

(H. 296)

To create a separate school district in Barbour county known as the Afton School District.

Section 1. Be it enacted by the General Assembly of Alabama, That the following described territory in township ten, range twenty-seven and twenty-eight, beginning at a point about midway between the thirteen and fourteen mile post on the dirt road leading from Eufaula to Louisville, including all the territory within a radius of one and one-half miles north, south and west, and the eleven mile post, on said Eufaula and Louisville road east be and the same is hereby established as to Afton School District, and shall be known and called the Afton School District.

Section 2. Be it further enacted, That there shall be three trustees in and for said school district who shall be resident citizens and freeholders of said district, whose duties it shall be to establish and locate one white school, and but one, to be taught each year within said district, and to employ teachers for said school and to perform all other duties necessary to the proper organization, regulation and maintenance of said school, making contracts with teachers and approving reports in the manner provided by the general school laws for the trustees of townships.

Sec. 3.. Be it further enacted, That said school district shall be entitled to receive its proper proportionate share of all funds raised or appropriated by the State or county for public schools; also its proportionate poll tax which may be collected from the white residents of said school district, and all funds which may be donated thereto.

Sec. 4. Be it further enacted, That all school houses and

other school property within the limits of said district as located, shall be used in the erection of a school building and the furnishing of the same, and the trustees hereinafter named shall have entire control and power to remove any building or other school property within the limits of the district from where they may now stand, to the place above designated, for the erection of a school building.

Sec. 5. Be it further enacted, That the following named citizens and freeholders, A. B. Burk, J. W. T. Gibbons and S. D. Houston, shall be trustees of said school district.

Sec. 6. Be it further enacted, That in case of death or resignation of either of the above named trustees the remaining two shall have power to appoint his successor; provided, that if the remaining trustees fail to act within thirty days after the death or resignation of any trustee, the county superintendent of education shall appoint said trustee or trustees.

Sec. 7. Be it further enacted, That this act shall go into effect immediately after the approval of the governor of the State of Alabama.

Approved December 9, 1896.

No. 167)

AN ACT

(S. 51

To amend section 1 of an act to establish the Guin School District in Marion county.

Section 1. Be it enacted by the General Assembly of Alabama, That section one of an act to establish the Guin School District in Marion county, approved February 21st, 1893, be, and the same is hereby amended so as to read as follows, to-wit: Section 1. That the southwest fourth section 27,

S. $\frac{1}{2}$ of section 28, S. $\frac{1}{2}$ section 29, and all territory east of Beaver creek, in section 30-31 and section 32-33 and W. $\frac{1}{2}$ of section 34, township twelve (12), range thirteen (13), W. $\frac{1}{2}$ of section 3, section 6, township thirteen (13), range thirteen (13), shall constitute the Guin School District in Marion county.

Sec. 2. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act are hereby repealed.

Approved December 9, 1896.

No. 175)

AN ACT

(H. 505

To establish a separate school district to be known as Flat Rock District in Randolph county.

Section 1. Be it enacted by the General Assembly of Alabama, That the following described territory situated in Randolph county shall constitute a separate school district to be known as the Flat Rock District, to-wit: Commencing at the mouth of Herican creek, thence west along said creek to Clay county line, thence south along said line to Cedar creek, thence eastward along said creek to the Tallapoosa river, except J. M. Pearson and S. S. Stevens, thence north along said river to the mouth of Herican creek, at the beginning corner, all in township 21 and 22, range 10, in Randolph county.

Sec. 2. Be it further enacted, That said district shall receive its pro rata of all public school revenues, and shall be managed and controlled as described by law for other districts in said county.

Sec. 3. Be it further enacted, That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

Approved January 29, 1897.

No. 177)

AN ACT

(H. 342

To create a separate school district to be known as Belmont School District, in Sumter county, and to define the boundaries thereof.

Section 1. Be it enacted by the General Assembly of Alabama, That there is hereby created in Sumter county a separate school district to be known as "Belmont School District," composed of that portion of township nineteen in range two, east, west of the Bigbee river, and township eighteen, range one, east.

Sec. 2. That the superintendent of education of Sumter county, or his successor in office, be hereby authorized and empowered to appoint three trustees, who shall be citizens within said district, who shall perform all the duties now incumbent on township superintendents as to public schools in said district; and the said superintendent of education in Sumter county, or his successors in office hereinafter, shall apportion to said school district the school fund in the same manner as is now provided by law for townships and school districts of this State.

Sec. 3. Be it further enacted, That said Belmont school district shall be entitled to secure its proportionate share of funds raised or appropriated by the State for public schools; also its proportionate share of the sixteenth section fund ac-

ording to the territory of said district, and it shall receive all poll tax which may be collected from residents of said school district and applied as now provided by law.

Sec. 4. Be it further enacted, That all laws and parts of laws in conflict with this act be and the same is hereby repealed.

Approved January 29, 1897.

No. 187)

AN ACT

(H. 361

To regulate the appropriation and management of the several agricultural schools and experiment stations in the State of Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That for the support of the nine branch agricultural schools and experiment stations, located in the 1st, 2nd, 3d, 4th, 5th, 6th, 7th 8th and 9th congressional districts, respectively, in the State of Alabama, there shall be appropriated annually out of the agricultural fund the sum of two thousand five hundred dollars to each of said schools, one-fourth of such sum to be paid quarterly; to-wit: January 1st, April 1st, July 1st and October 1st, of each year to the treasurer of the board of control of such schools, provided there is so much of said fund not otherwise appropriated; and if such fund is not sufficient to pay to each of said schools the said sum of two thousand five hundred dollars, then the same is to be equally divided among said schools.

Sec. 2. Be it further enacted, That not less than five hundred dollars of the sum so appropriated to each of said schools shall be used in maintaining, cultivating and improv-

ing the farms respectively, and making agricultural experiments thereon, under and by direction of the respective boards of control.

Sec. 3. Be it further enacted, That within thirty days after the passage of this act, the governor shall appoint a new board of control for each of said schools, to be composed of five members, a majority of whom shall be men whose principal business is farming, who shall be residents of the respective congressional district wherein the school for which they are appointed is located. And the superintendent of education and the commissioner of agriculture shall be ex-officio members of each of such boards of control. Such board of control may appoint an executive committee composed of not less than three members of such board, who shall exercise such powers consistent with the acts creating the said school as are conferred upon them by the board of control. Of the five members of each board of control appointed by the Governor one shall be appointed for two years, two for four years and two for six years from the date of their respective appointments, and as their terms expire the governor shall fill the vacancies, and the members appointed to fill such vacancies shall hold for six years from their appointments. And the governor, whenever he deems such action necessary or expedient, shall have authority to remove the board of control of any school or any member of such board. The members of said board must not receive any compensation other than travelling expenses actually incurred in attending meetings of the board of control.

Sec. 4. Be it further enacted, That the president or principal of each of said schools shall be the director of the respective school and station in which he is employed, and he shall personally superintend the making of such experiments as

will advance the interests of scientific agriculture and cause such chemical analyses to be made as are deemed necessary, and perform such other duties in reference to such experiment stations as shall be required of him by the board of control.

Sec. 5. Be it further enacted, That the president and board of control of said agricultural schools and experiment stations shall, from time to time, prepare bulletins of information for farmers and reports of agricultural experiments conducted by them, and answers to questions that may be asked them in practical farming and veterinary diseases, including condensed reports of the experiment station at Uniontown, and publish the same in all the weekly newspapers published in their respective congressional districts whose publishers will insert the same free of charge.

Sec. 6. Be it further enacted, That it shall be the duty of the president or principal of each of said schools to make to the superintendent of education on or before September 30th of each year a full report of the financial condition, workings and progress of said school, embracing an itemized account of all receipts and disbursements of money appropriated to such schools by this act, and a like report to the commissioner of agriculture of the condition, expenses and workings of the experiment station connected with such school.

Sec. 7. Be it further enacted, That it shall be the duty of the president and principal of each of such schools to report in writing quarterly to the board of control an itemized account of all incidental or matriculation fees and all other moneys received by him as such president or principal, together with the disposition of the same. He shall take receipts for all moneys received and take receipts for all moneys disbursed by him.

Sec. 8. Be it further enacted, That the treasurer of the board of control shall give bond payable to the president of the board of control, in the sum of at least one thousand dollars, conditioned to faithfully keep and disburse the funds of said school, and such board of control may require an additional bond at any time it may deem necessary.

Sec. 9. Be it further enacted, That scientific and practical agriculture shall be taught at all the agricultural schools, and all male pupils over ten years of age who receive free tuition therein shall be required to take the course in scientific agriculture and horticulture, and all other pupils over the age of ten years receiving free tuition shall be required to take the course in floriculture and horticulture.

Sec. 10. Be it further enacted, That none of the said schools shall receive the appropriation provided for in this act or any part thereof unless such school shall be actually conducting an agricultural experiment station and agricultural school wherein such experiments are made as will tend to advance the interest of scientific farming.

Sec. 11. Be it further enacted, That the board of control and president of the faculty of said schools shall adopt a course of study with a view to educating and training pupils for teachers in the public schools of this State, which course of study shall embrace the different grades adopted by the State; to grant certificates of proficiency or diplomas to such pupils as shall complete the course of study so adopted, provided, that such certificates of proficiency or diplomas shall not entitle the holder to teaching the public schools in the State without examination.

Sec. 12. Be it further enacted, That except as to the appointment of the boards of control of the several schools this act shall go into effect on the second day of April 1897.

Sec. 13. Be it further enacted, That all laws and parts of law in conflict with the provisions of this act be and the same are hereby repealed.

Approved January 30th, 1897.

No. 195.)

AN ACT

(S. 184

To unite all of fractional township 13, R. 5, with all of township 13, R. 4, between Oak-Tuppah creek in Choctaw county, into one township school district.

Section 1. Be it enacted by the General Assembly of Alabama, That all of fractional township 13, R. 5, be united with all of township 13, R. 4, between Oak-Tuppah creek and the last line of said fractional township 13, R. 5, W., in Choctaw county into one township school district, and to be known as fractional township 13, R. 4 and 5, west.

Approved February 2, 1897.

No. 201.)

AN ACT

(H. 269

To create township nineteen, range five, Hale county, Alabama, a separate school district, to incorporate the same and define its powers and duties and to provide for the maintenance and management of the public school of said district.

Section 1. Be it enacted by the General Assembly of Alabama, That the territorial limits of township nineteen, range 5, Hale county, Alabama, be and the same is hereby created

and constituted a school district, separate and distinct from the other school districts in the county of Hale.

Sec. 2. Be it further enacted, That the inhabitants residing within the territorial limits of said district be and they are hereby created a body politic and corporate by the name and description of the Newberne School District, and by that name may sue and be sued, may contract and be contracted with, may have, take, hold, sell, exchange or convey real and personal property, and may acquire such property by purchase or gift, may have perpetual succession, and may exercise all the rights, powers, franchises and privileges which are necessary and proper to carry into effect the purposes of this act.

Sec. 3. Be it further enacted, That the Newberne school district shall receive the proportionate share of the school fund coming to the county of Hale, including the pro rata share of the sixteenth section fund, and shall receive all the taxes collected as poll taxes within such school district. Said fund and taxes to be drawn and distributed by such officers as may be appointed for that purpose by the board of education of the school district hereinafter to be named in the same manner as the county superintendents of education draw and disburse the funds for the respective counties, and the amount thus drawn for the said school district shall be used exclusively for the maintenance of public schools in said district and the said district is authorized to increase its school fund by receiving donations, but for the disbursement of all donated funds no charge whatever shall be made.

Sec. 4. Be it further enacted, That the public schools of said district shall be under the charge of the board of education, which board shall consist of a president and four associate members, who shall be freeholders or householders re-

siding within their districts, who shall hold office for and during the term of their residence within the district, and who shall have the right to fill all vacancies that may occur on such board by reason of death, resignation, or otherwise. It shall be the duty of the president of said board to make annual reports and furnish statistics and information to the superintendent of education of the State as may be required by law of county superintendents of education.

Sec. 5. Be it further enacted, That R. A. White is hereby made president of said board and James N. Sledge, S. Hardenberge, B. L. Allen and S. H. Herron are hereby made associate members of said board.

Sec. 6. Be it further enacted, That each member of said board of education shall, before entering upon the duties of his office, subscribe an oath to faithfully discharge all the duties enjoined upon him by law as such officer, such oath to be administered by the judge of probate, or any other officer authorized by law to administer oaths.

Sec. 7. Be it further enacted, That said board of education shall have power to build suitable houses for the use and accommodation of the public schools of said district, and the said board may rent and purchase such houses. Said board shall keep such houses in proper repair and shall furnish the same with appropriate furniture and apparatus.

Sec. 8. Be it further enacted, That the said board of education may open a sufficient number of schools to meet the wants of the population of said district, and said board shall elect such officers as are in their opinion necessary to the good government of said schools, and when required such officers, before entering upon the duties of their respective offices, take

the oath prescribed for all officers of this State, and shall, if required by said board give bond in any such sum as may be fixed by said board, conditioned as all other official bonds to be approved by the president of said board of education and filed with the other official bonds of the county, and a certified copy of the bond of the officer selected to receive the funds of said district shall be filed in the office of the superintendent of education of this State, and the said board shall elect all teachers, fix their compensation and prescribe their duties, control the distribution of teachers and pupils among the several schools, if there be more than two, dictate the course of instruction, the number and character of text books, the organization of classes and the method of teaching, and shall prescribe rules and regulations for the government of the schools aforesaid. Such board shall have and exercise such other and additional powers as may be necessary to give it complete control of the public schools of said school district. Any of such officers or teachers may be removed for cause to be determined by said board.

Sec. 9. Be it further enacted, That said board of education may issue certificates of proficiency to all persons who have satisfactorily completed the course of study prescribed for the public school of said school district.

Sec. 10. Be it further enacted, That the children and wards of all actual residents within the limits of the said school district from seven to nineteen years of age shall be entitled to seats as pupils in the public schools of said district, provided such children themselves shall be bona fide residents of said districts, and non-resident children may be admitted into such schools on such terms and conditions as the board of education may prescribe. And separate schools shall be provided for colored children.

Sec. 11. Be it further enacted, That the county superintendent of education of Hale by virtue of his office as county superintendent of education, shall be treasurer of said school districts, and all funds devoted to the public school purposes in such school district, whether derived from State, county, or town, shall be paid to the treasurer of said board, and for disbursing which he shall receive the same compensation as is now by law allowed him as county superintendent of education.

Sec. 12 Be it further enacted, That the board of education shall have authority to create a board for the examination of applicants for the positions of teachers in the public schools of the school district, and no person shall be elected as a teacher in any school in said district who shall not have received a license from such board.

Sec. 13. Be it further enacted, That this act shall not go into effect until the first day of July, 1897.

Sec. 14. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved February 3rd, 1897.

No. 213.) AN ACT (S. 179.

To establish the Lineville School District in Clay county.

Section 1. Be it enacted by the General Assembly of Alabama, That the following described territory situated in Clay county shall constitute a separate school district, to be known as the Lineville School District, to-wit: Beginning with Lineville College as the center, all the territory in each and

every direction included within a radius of two miles. Also all citizens living within one-half mile on the outside of said boundary line may at their suggestion be included in said school district—their decision to be final.

Sec. 2. Be it further enacted, That said district shall be entitled to its proportionate share of all public funds accruing to townships of which it is a part.

Sec. 3. Be it further enacted, That this separate school district shall be under the supervision of three superintendents to be appointed by the county superintendent of education of Clay county, as township superintendents are appointed, with the same powers, duties and rights as township superintendents have and exercise.

Sec. 4. Be it further enacted, That this act shall be effective on and after October 1st, 1897.

Approved February 4th, 1897.

No. 217.)

AN ACT

(S. 286.

To create a separate school district in Limestone county, Alabama, to be known as the Athens School District.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as the Athens School District, is hereby created within the following lines, viz: Beginning at the northwest corner of township three, range four, thence south three miles; thence east to Swan creek; thence up Swan creek in a northerly direction to the north line of township three, range four; thence west to the beginning.

Sec. 2. Be it further enacted, That all of the public school laws in force in this State in reference to conducting

schools and distributing the public school funds shall apply to said district, provided this act shall not take effect until October the first, 1897.

Approved February 5th, 1897.

No. 234.)

AN ACT

(H. 285.

To establish and maintain a uniform series of text books for the public schools of the county of Morgan.

Section 1. Be it enacted by the General Assembly of Alabama, That there shall be and hereby is established a system of uniform text books for the public schools of the county of Morgan.

Sec. 2. Be it further enacted, That the county board of education of said county, shall, under the direction and assistance of the county superintendent of education examine and select three separate series of text books embracing all branches taught in the public schools in the State and shall recommend the same to the judge of probate of said county.

Sec. 3. Be it further enacted, That said judge of probate shall thereupon cause the publishers of the said text books so selected and recommended to submit bids for the furnishing of such books to the public schools of the county at a stipulated price for a period of five years.

Sec. 4. Said judge of probate shall, upon the coming in of such bids, contract with the publisher or publishers making the lowest prices on their books, taking into consideration the material and workmanship used in the making of such books, to furnish the books to the public schools of the county as aforesaid.

Sec. 5. It shall be a part of the contract so made that failing to comply with the terms of the same in anywise, the said publishers shall respond in damages to the county in the sum of five hundred dollars to be used for the benefit of the public schools.

Sec. 6. No books other than those adopted and selected as aforesaid shall be used in any of the public schools of the county.

Sec. 7. This act shall take effect on and after May 1st, 1897, and shall be renewed as herein stipulated every five years thereafter.

Sec. 8. Be it further enacted, That this act shall not apply to the city schools of Decatur and New Decatur, Hartselle College, Falkville Normal School and the North Alabama Baptist Collegiate Institute and Normal School of Danville.

Approved February 9th, 1897.

No. 235.)

AN ACT

(H. 160.)

To establish a separate school district, to be known as the Mount Zion School District, composed of a portion of DeKalb, Marshall and Etowah counties, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district composed of a portion of the above named counties in Alabama, be and the same is hereby established, to consist of the following territory, to-wit: Beginning at the half mile stake on the south boundary line of section 3, township 10, of range 5, in Etowah county, Alabama, thence east with said line one mile; thence north one mile to the county line between DeKalb and Etowah coun-

ties; thence east with county line one mile; thence north one-half mile to center of section 36, township 9, range 5 east, DeKalb county, Alabama; thence west one-half mile to the west boundary line of said section 36; thence north one mile; thence west one mile; thence north one-half mile; thence west one-half mile; thence north three-fourth of a mile intersecting Cross creek; thence southwest with Cross creek to the southwest corner of northwest fourth of southeast $\frac{1}{4}$ of section 21, township 9, range 5 east, in Marshall county, Alabama; thence south to Short creek at southwest corner of northeast quarter of section 33, township 9, range 5 east in Marshall county, Alabama; thence southeast with said creek to point of beginning in Etowah county, Alabama, in township 9 and 10, range 5 east.

Sec. 2. Be it further enacted, That the educational affairs of said school district shall be under similar control as that of the township district of the State, and shall be managed by three trustees, who shall be elected by the qualified electors of said school district in the same manner and under the same provisions as is by law established for DeKalb county Alabama. And said school district shall receive its proportionate part of all school funds.

Sec. 3. Be it further enacted, That the county superintendent of DeKalb county shall appoint three trustees, residents of said school district, to hold office until their successors shall be duly elected and qualified.

Sec. 4. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, be and the same are hereby repealed.

Approved February 9th, 1897.

No. 237.)

AN ACT

(H. 337.)

To establish a county school book board, to select a uniform series of text books for use in the public schools in the counties of Sumter and Madison.

Section 1. Be it enacted by the General Assembly of Alabama, That the county superintendent of education and four competent and efficient teachers, to be selected by the board of county commissioners in Sumter and Madison counties, shall constitute a county school book board for the purpose of adopting a series of text books for uniform use in the public schools in the county, supported wholly or in part by the public money. The county superintendent of education shall be chairman, and at the first meeting they shall elect by ballot one of their number for secretary of said board. The school board so constituted shall meet at the county seat, on the second Monday in June, 1897, for the purpose of carrying out the provisions of this act, but if a quorum of said board shall not be present at such meeting, said board shall adjourn to meet at some stated time, not to exceed twenty days from the date of adjournment. The superintendent of education shall give due notice of time and place of such meeting.

Sec. 2. Be it further enacted, That the county school book board shall at the regular or adjourned meeting as prescribed in the foregoing section select and adopt one complete series of text books on each of the several branches of study taught in the public schools of the county, from the list of the school book publishers offering the lowest and most satisfactory terms for introduction and exchange, provided, that all publishers shall furnish a full list and prices of their books, and that no text book shall contain anything partisan or prejudicial to the interest of the people of the State, or cast a reflec-

tion on their past history, and such series of text books so adopted shall be established and made uniform in all of the public schools of the county. Said adopted text books shall not be changed thereafter, for five years, except by a three-fourths vote of said board, at a meeting called by the superintendent of education for that purpose, of which thirty days notice shall be given. The secretary of the school book board shall make a record of such adoption and the superintendent of education shall keep a copy of the same in his office. It shall be the duty of the county superintendent of education to furnish the teachers and school officers in the county with a list of the text books adopted by the county school book board, and see that the adopted list of text books is established and maintained in use in the public schools of the county, and he shall require each teacher to state, in his report, whether or not the adopted books are used in the school under his charge, and a persistent neglect on the part of the teachers to use the adopted text books shall be deemed a sufficient cause for the cancellation of his certificate; provided, nothing in this shall be so construed as to prevent any persons, firms or corporations dealing in books, from competing for the furnishing of books for the public schools in Sumter and Madison counties, and the lowest bid and the best books shall be adopted.

Sec. 3. Be it further enacted, That no member of the school book board shall be permitted to act as an agent of any publisher or dealer in school books, nor receive any pecuniary benefits therefrom, and any member of said board guilty of violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined not less than ten nor more than fifty dollars, and be dismissed from said board.

Sec. 4. Be it further enacted, That this act shall take effect and be enforced from and after its passage, and all laws special and general in conflict with the same are hereby repealed.

Approved Febraury 9th, 1897.

No. 242.)

AN ACT

(H. 278.

To establish Blossburg School District in Jefferson County, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That the southeast quarter of section twenty (20), the south half of section twenty-one, the southwest quarter of section twenty-two, the west half of section twenty-seven, all of section twenty-eight, and the east half of section twenty-nine in township sixteen, range four west, in Jefferson county, Alabama, be constituted a separate school district, to be known as Blossburg District, which shall receive a proportionate share of all school funds accruing to T. 16, R. 4, W., according to the number of children within the educational age and it shall be managed and controlled by three trustees appointed by the county superintendent of education with power to perform all duties required by law of trustees of townships.

Approved February 9th, 1897.

No. 248.)

AN ACT

(H. 106.)

To establish a county school book board to select a uniform series of text books for use in the public schools in the county of Winston.

Section 1. Be it enacted by the General Assembly of Alabama, That the probate judge, county superintendent of education and three competent and efficient teachers to be selected by the county superintendent of education in the county of Winston, shall constitute a county school book board for the purpose of adopting a series of text books for uniform use in the public schools of said county, supported wholly or in part by public money, except separate school districts established by special act of the legislature and authorized to adopt a uniform series of text books. The judge of probate shall be chairman and the county superintendent of education clerk and ex-officio member of said board. Said county school book board so constituted shall meet at the county seat on the first Monday in May, 1897, for the purpose of carrying out the provisions of this act, but if a quorum of said board is not present at such meeting, said board shall adjourn to meet some time during the month of June of said year. The judge of probate shall give due notice of the time and place of such meeting.

Sec. 2. Be it further enacted, That said county school book board shall, at the regular or adjourned meetings of said board as prescribed in the foregoing section, select and adopt one complete series of text books on each of the several branches of study taught in the public schools of the county from the list of the school book publishers offering the lowest and most satisfactory terms for introduction and exchange, provided, that all publishers shall furnish a full list and prices of their books, and no text book containing any-

thing partisan, prejudicial or inimical to the interest of the people of the State, or cast reflection on their past history; and such series of text books so adopted shall be established and made uniform in all of the public schools of the county. Said adopted text books shall not be changed thereafter for five years except by a three-fifths vote of said board, at a meeting called by the judge of probate for that purpose of which thirty days notice shall be given. The county superintendent of education shall make a record of said adoption and action of said board, and the judge of probate shall keep a copy of the same in his office. It shall be the duty of the county superintendent of education to furnish the teachers and school officers in the county with a list of the text books adopted by the county school book board, and to see that the adopted list of text books is established and maintained in use in the public schools of the county, and he shall require each teacher to state in his report whether or not the adopted books are used in the schools under his charge, and a persistent neglect on the part of the teacher to use the adopted text books shall be deemed a sufficient cause for the cancellation of his certificate; Provided, nothing in this act shall be so construed as to prevent any persons, firm or corporation dealing in books from competing for the furnishing of books for public schools in said county and those offering books at the lowest bid and the best books shall be adopted.

Sec. 3. Be it further enacted, That no member of the county school book board shall be permitted to act as an agent of any publisher or dealer in school books nor secure any pecuniary benefits therefrom, and any member of said board guilty of violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than ten nor more than five hundred dollars, and shall be dismissed from the board.

Sec. 4. Be it further enacted, That this act shall take effect and be enforced from and after its passage and all laws special and general in conflict with the same are hereby repealed.

Approved February 9th, 1897.

No. 260.)

AN ACT

(H. 349.)

To establish the Blanch School District in Cherokee County.

Section 1. Be it enacted by the General Assembly of Alabama, That from and after the passage of this act there shall be established in Cherokee county, the Blanch School District, to be composed of parts of township seven (7), range ten (10), and township eight (8), range ten (10) in said county, beginning at A. B. Sharp's, from thence east by Mrs. W. T. Henderson's, thence to Mrs. Bettie Teague's, and thence south to Spring creek, at the W. B. Ward old mill place, thence by William Sparks' and Frank Pruett's to Little river, thence up said river with the meanderings of the river to the starting point at A. B. Sharp's.

Sec. 2. Be it further enacted, That the county superintendent of education shall appoint three (3) trustees in and for said school district, who shall hold their office for a term of two years, and until their successors are duly appointed by said superintendent. These said trustees shall have all the authority and exercise all the powers of township trustees as now may be hereafter provided by law.

Approved February 9th, 1897.

To incorporate a separate school district, known as the Ketcham School District

Section 1. Be it enacted by the General Assembly of Alabama, That Big Juda on the west, and Little Juda on the east ($1\frac{1}{4}$) one and one-fourth miles from Dale and Barbour county lines, running west until it intersects Big Juda ($1\frac{1}{4}$) one and one-fourth miles below Dale and Barbour county lines and a line beginning ($2\frac{1}{4}$) two and one-fourth miles, above Dale and Barbour county lines, at Little Juda, running west until it intersects Big Juda, shall constitute the boundary lines of a separate school district, separate and apart from the other school districts of the counties of Dale and Barbour, and the inhabitants of said school districts are hereby incorporated under the name of Ketcham School District.

Sec. 2. Be it further enacted, That said School District shall receive its proportionate share of the public school funds coming to the counties of Barbour and Dale and shall receive all taxes collected as poll taxes within said school district, said fund to be drawn and disbursed by the county superintendents of said counties as other money is drawn and disbursed by the county superintendents of education.

Sec. 3. Be it further enacted, That the county superintendents of education of Barbour and Dale counties shall each appoint within said Ketcham School District, three suitable persons, who shall constitute a Board of education for said school district.

Sec. 4. Be it further enacted, That said board may open a school for the white and another for the colored children when in their judgment, it can be run (12) twelve weeks or longer.

Sec. 5. Be it further enacted, That said board may require teachers applying for positions in said school district, to be examined by any person or board of examiners designated by said school board.

Sec. 6. Be it further enacted, That it shall be the duty of said board to elect and contract with the teachers employed by said school board.

Sec. 7. Be it further enacted, That each and every teacher employed by said school board shall keep a register in conformity with his report as prescribed by law, and file it with the chairman of the board within five days after the termination of said school.

Sec. 8. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, be and the same are hereby repealed.

Sec. 9. Be it further enacted, That this act shall take effect from and after its approval by the Governor.

Approved February 9th, 1897.

No. 274.)

AN ACT

(H. 370.)

To establish a uniform series of school books to be taught in the public schools of Lauderdale county, Alabama, and to provide for a board to select the same.

Section 1. Be it enacted by the General Assembly of Alabama, That there shall be a uniform series of text books selected to be taught in the public schools in Lauderdale county.

Sec. 2. Be it further enacted, That said books when selected shall remain in use for a term of five years; provided, however, that no school in session at the time of the first se-

lection under this act shall be required to change its text books during that session.

Sec. 3. Be it further enacted, That all teachers employed to teach in the public schools in Lauderdale county shall be required to teach such series of text books.

Sec. 4. Be it further enacted, That there shall be created a school book board for the county of Lauderdale to consist of five members, viz: the county superintendent of education and one first grade teacher from each commissioner's district, to be selected by the county superintendent of education, and which shall be done as soon as practicable after the passage of this act.

Sec. 5. Be it further enacted, That the county superintendent of education shall be chairman of the said school book board, and that it shall be the duty of the said board to select books of good moral character and substantially bound.

Sec. 6. Be it further enacted, That it shall be the duty of every teacher in the public schools of said county of Lauderdale to state in his or her reports the kinds of books used, and whether or not he or she has used the books prescribed by the school book board hereinbefore provided for.

Sec. 7. Be it further enacted, That no teacher whose reports do not show that he or she has used the books prescribed by said board under the provisions of this act, shall receive any part of the public school fund.

Sec. 8. Be it further enacted, That the provisions of this act shall not apply to the city schools in the city of Florence.

Sec. 9. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

Approved February 9th, 1897.

No. 275.)

AN ACT

(H. 557.)

To establish a separate school district in and for the city of Demopolis, and the police jurisdiction thereof, in Marengo county, Alabama, and to provide means to support said separate school district.

Section 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the city of Demopolis, and the limits included in the police jurisdiction of said city, in Marengo county, State of Alabama, shall constitute a school district separate and distinct from the remaining school districts and parts of said districts of said county of Marengo, and to be known as the Demopolis School District and be under the control of the mayor and councilmen of said city.

Sec. 2. Be it further enacted, That the public schools of said district shall be under the management of a district board of education consisting of three members to be elected by the mayor and councilmen of Demopolis as hereinafter provided, who shall serve without pay.

Sec. 3. Be it further enacted, That the mayor and councilmen of said city, at the first regular meeting of the board held after the election and qualification of said mayor and councilmen, or as soon thereafter as practicable, and every two years thereafter, shall elect from the qualified voters of said city three school commissioners, who shall hold office till their successors are elected and qualified, and shall prescribe the duties, liabilities and powers of said school commissioners. That said school commissioners shall be and they are hereby relieved from jury duty, and street tax authorized to be levied by this act, during their terms of office, and shall be under the control of the mayor and councilmen.

Sec. 4. Be it further enacted, That the mayor and councilmen of said city shall appropriate annually for the benefit and support of the free public schools in said city, so much of the income of the said city, arising from licenses and taxes, or in any manner as they may deem expedient for the support of said public schools.

Sec. 5. Be it further enacted, That all funds which may be received, appropriated, or used for the support of free public schools under this act shall be apportioned among all children attending school in such school district between the ages of seven and twenty-one years; but separate schools shall be provided for citizens of African descent.

Sec. 6. Be it further enacted, That the said school commissioners shall have power and authority to receive into the free public schools of said "school district" any scholars living within the limits of said "school district" on such terms as may be agreed upon by them.

Sec. 7. Be it further enacted, That said mayor and councilmen shall have power and authority to use, appropriate and disburse the school fund, or any part thereof, in connection with or as a supplementary to any private school or academy in said school district; Provided, That any private school or academy accepting such funds shall for the time the same is used, be under the joint control and supervision of the board of trustees of such academy, and three school commissioners, hereinbefore provided.

Sec. 8. Be it further enacted, That the county superintendent of education for Marengo county shall, within twenty days after he shall have received the school funds of the county, pay over to the treasurer of the city of Demopolis the share or portion of the public school fund to which the said "Demopolis School District" may be entitled under the law,

and such fund shall be used only for the support and benefit of the free public schools herein authorized and established.

Sec. 9. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

Approved February 10th, 1897.

No. 282)

AN ACT

(H. 771

To confer power on the Opelika board to appropriate money out of the revenues of the district of Opelika to the support of its public schools.

Section 1. Be it enacted by the General Assembly of Alabama, That the Opelika police board, out of any revenues of the district of Opelika may set apart annually, and pay over to the board of education of the district of Opelika for the public schools of said district of Opelika such an amount as the Opelika police board may deem necessary for maintaining the public schools of the district of Opelika.

Approved February 11, 1897.

N: 312)

AN ACT

(H. 740

To authorize the levy and collection of a tax upon property within the city of Birmingham, Alabama, for the maintenance of the public schools of said city.

Section 1. Be it enacted by the General Assembly of Alabama, That for the maintenance of the public schools of said

city, there shall be laid, levied and collected upon all the taxable property within the corporate limits of said city, or that may be lawfully taxable therein, an annual tax of fifteen cents on every one hundred dollars worth of such property, which shall be assessed by tax assessors of Jefferson county, Alabama, at the same time, and in the same manner, and under the same penalties, and enter on the same list, with taxes levied for State purposes, and the same shall be collected by the tax collector of Jefferson county, Alabama, at the same time that he collects State taxes.

Sec. 2. Be it further enacted, That when said tax collector shall collect the taxes herein provided for, the same shall be paid over each month by him to the treasurer of the board of education of said city, and shall be disbursed by said board of education in support and maintenance of the public schools of said city; Provided, that whenever the tax levied by the State shall exceed fifty-five cents on every one hundred dollars of taxable property, then the tax hereby shall be diminished to such rate as, added to the rate levied by the State, shall not exceed seventy-five cents on every one hundred dollars worth of taxable property, the limit fixed by the constitution.

Sec. 3. Be it further enacted, That all laws and parts of laws, general or special, in conflict with the provisions of this act be and the same are hereby repealed.

Approved February 11, 1897.

To amend sections one of an act entitled an act to establish three separate school districts in Cullman county, to be known as the Jones Chapel School District, the County Line School District, and the Good Hope School District, in Cullman county, Alabama, and to provide for the election of a board of trustees for each of said school districts with certain duties and powers, approved Feb. 18th, 1891.

Section 1. Be it enacted by the General Assembly of Alabama, That section one of an act entitled an act to establish three separate school districts in Cullman county, to be known as the Jones Chapel School District, the County Line School District and the Good Hope School District, in Cullman county, Alabama, and to provide for the election of a board of trustees for each of said school districts with certain duties and powers approved Feb. 18th, 1891, be so amended as to read as follows: Section 1. Be it enacted by the General Assembly of Alabama, That three separate school districts to be known as the Jones Chapel School District, the County Line School District and the Good Hope School District be, and the same are hereby established, which said district shall be composed and consist of all that territory within the following named boundaries, to-wit: First, Jones Chapel School District, commencing at Crooked creek, where the township's line between townships nine (9) and ten (10) crosses said creek; thence running northerly up said creek to where it crosses the section line between sections twenty-four and twenty-five in township nine range five, west, thence due west along said line to the corner of sections 22, 23, 26 and 27 in said township; thence north one-half mile; thence west

to Jones creek; thence westerly down said Jones creek to Blevir's creek, thence southerly down said creek about four miles to where said creek crosses the section line between sections 8 and 17 in township 10, range 5, west, thence east along said section line to Crooked creek, thence northerly up said Crooked creek to point of beginning, being in township 9 and 10, range 9, west, all in Cullman county. Second, County Line School District. Commencing at the Cullman and Morgan county line at the northwest corner of section 34, township 8, range 2, west, thence south one and one-half miles, thence east through the middle (or along the half section line) of sections 3, 2, and 1, township 9, range 2, west, thence on a straight line three-fourths through the center of section 6, township 9, range 1, west, thence north one-half mile to the township line between townships 8 and 9, thence east along said line one mile, thence north one-fourth of one mile, thence west one-fourth of one mile, thence north three-fourths of one mile to said Cullman and Morgan county line, thence west along said county line to point of beginning, being in townships 8 and 9, range 1, west and townships 8 and 9, range 2, west, all in Cullman county, and all that part of Morgan county included in the following territory to-wit: Sections 30, township 8, range 1, west, and sections 25 and 26 and the south half of each of sections 19, 24 and 27 all in township 8, range 2, west. Third. Good Hope School District. Commencing at the northeast corner of section 4, on township line between townships 10 and 11, range 3 west, running west to Bremen and Cullman road, thence north along said road to Chas. Koester's, thence west along the Houston and Cullman road to the range line between 3 and 4, thence south along said line to the northeast corner of section 12, T. 11, range 4, west; thence west on said section line

to half mile stake; thence south one mile, thence east one-half mile to range line between 3 and 4, west; thence south along said range line to the southwest corner of section 18, township 11, R. 3, west; thence east to the southwest corner of section 15, township 11, R. 3, west, thence north to place of beginning.

Approved February 13, 1897.

No. 353)

AN ACT

(H. 406

To establish a separate school district to be known as the Summit School District in Blount county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district to be known as the Summit school district in Blount county, Alabama, be and the same is hereby established, to consist of the following territory, to-wit: Beginning at the southwest corner of section 20, township 9, range 2, east, thence south one half mile, thence east one mile, thence south one and one half miles to southwest corner of section 33, township 9, range 2, east, thence west with township line one mile, thence south two miles to southwest corner of section 8, township 10, range 2, east, thence west three miles to southwest corner of section 11, township 10, range 1, east, thence north two miles to township line, thence west one half mile with township line, thence north to county line in section 27, township 9, range 1, east, thence in a northeasterly direction with county line to west boundary of section 19, thence south to southwest corner of section 19, township 9, range 2, east, thence one mile east to point of beginning.

Sec. 2. Be it further enacted, That the educational affairs of said school district shall be managed similar to the township district of the State, under the control of three trustees elected by the qualified electors of said school district in the manner and under the same provisions as is by law established for Blount county, Alabama.

Sec. 3. Be it further enacted, That the county superintendent of education of Blount county shall appoint three trustees residents of said school district to hold office till their successors shall be duly elected and qualified.

Approved February 13, 1897.

No. 354)

AN ACT

(H. 550

To establish the Bremen school district in Cullman county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That the following described territory in the counties of Cullman and Blount in the State of Alabama, viz: All the territory included in section eight (8), ten (10), fifteen (15), sixteen (16), and seventeen (17) and all fractional portions of the following sections in Cullman county, viz: Sections nineteen (19), twenty-three (23), twenty-six (26), twenty-seven (27), twenty-eight (28), twenty-nine (29), and thirty (30), in Blount county Alabama. Said district further described as follows, viz: Commencing at the centre of section two (2) in Cullman county, Alabama, in township 12, and range 4, west, thence running due west three and one half miles including the south halves of section three (3), four (4), and five (5), to the centre of section six (6), thence

due south to the centre of section thirty (30) in Blount county Alabama, including the east halves of sections seven (7), and eighteen (18), in Cullman county, Alabama, and east half of section nineteen (19), in Blount county, Alabama, thence due east from centre of section thirty (30) to the centre of section twenty-six (26), in Blount county, Alabama, including the north halves of sections twenty-seven (27), twenty-eight (28) and twenty-nine (29), in Blount county, Alabama, thence due north to the place of beginning, to the centre of section two (2) in Cullman county, including the west half of section twenty-three (23) in Blount county, and west halves of sections eleven (11) and fourteen (14), said district being three and one half ($3\frac{1}{2}$) miles square.

Sec.2. Be it further enacted, That said school district shall have its proportional part of all school funds accruing to that portion of territory embraced in this district according to the number of children within the educational age, and it shall be managed and controlled as other township and school districts by and under the laws of the State of Alabama and under the supervision and control of the county superintendent of education of Cullman county, Alabama.

Sec. 3. Be it further enacted, That it shall be the duty of the county superintendent of education of Blount county to pay over to the county superintendent of education of Cullman county all monies due said school district from Blount county on account of the territory from Blount county included in said district for the payment of teachers who shall teach in said schools.

Sec. 4. Be it further enacted, That three trustees shall be elected by the qualified voters in said district who have children within school age residing in said district on the first Monday of May, 1897, and every two years thereafter, and said trustees shall serve for a term of two years without com-

pensation and shall locate the schools and make contracts for the teaching of said schools, which contracts shall be approved by the county superintendent of education of Cullman county, Alabama, and the teachers who teach in said schools shall be paid in the same manner that other teachers are paid in said county.

Sec. 5. Be it further enacted, That all schools in said district shall be taught for a period of at least six months in each year, and that the patrons of said school district shall supplement the school funds of said school district so as to run the schools or school in said district for at least six months in each year, it being the purpose of this provision to stimulate and encourage the education of the children in said district.

Sec. 6. Be it further enacted, That in the event the patrons of the schools of said district should not supplement the school fund in the event the same should be insufficient to operate the school or schools for six months in each year in said district, then no contract shall be made by the trustees for less than six months in each year, and the public school funds shall remain over for said school district until such time as the funds will be sufficient to operate said schools in said district for six months in every year.

Sec. 7. Be it further enacted, That for the purpose of holding the first election for trustees of said district John Kinney, W. J. Felkins and T. H. Mizell are hereby appointed as trustees, who shall hold said election and declare the result thereof.

Sec. 8. Be it further enacted, That all laws in conflict with this act are hereby repealed.

Approved February 15, 1897.

No. 355)

AN ACT

(H. 882)

To establish a separate school district to be known as the Mt. Pleasant school district in Colbert county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district to be known as the Mt. Pleasant school district in Colbert county, Alabama, be established, to be subject to the laws of the State of Alabama out of the following sections: Nos. 7, 8, 9, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32 and 33, in township 3, range 9, sections 1, 3, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35 and 36, in township 3, range 10.

Sec. 2. Be it further enacted, That the said school district shall receive its proportionate share of the public school revenue of said township and sections, including a pro rata share of the sixteenth section fund, and also shall receive all the tax collected as poll tax within the limits of the territory mentioned above.

Sec. 3. Be it further enacted, That the educational affairs of the said school district shall be under similar control to that of the township districts of the State, and shall be managed by three trustees who shall be elected by the qualified electors of said school district.

Sec. 4. Be it further enacted, That the county superintendent of education of Colbert county, Alabama shall appoint three trustees of said school district to hold office until their successors have been duly elected and qualified.

Approved February 13, 1897.

No. 356)

AN ACT

(H. 710

To establish a separate school district in Barbour county, to be known as the Clio School District.

Section 1. Be it enacted by the General Assembly of Alabama, That the following described territory, situated in Barbour county, shall constitute a separate school district, to be known as the "Clio School District," to-wit: An area of four miles square with the Clio school house in the center tending two miles in each direction—north, east, south and west, so as to make a square.

Sec. 2. Be it further enacted, That said district shall receive its pro rata share of all funds raised or appropriated by the State for public schools; and shall also receive its pro rata of the sixteenth section interest accruing to the township from which said district is taken and it shall receive all poll tax which may be collected from residents of said district and funds that may be donated to said district, and said district shall be managed and controlled as prescribed by law for townships and other school districts in said county.

Approved February 13, 1897.

No. 374)

AN ACT

(S. 356

To create a separate school district in Marion county, Alabama, to be known as the Hamilton School District.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate public school district be and the same is hereby established in the county of Marion to be known as the Hamilton public school district and that said district

shall be composed of the following territory, viz: Sections 25, 26, 27, 28, 33, 34, 35, and 36 in township 10, and sections 1, 2, 3, 4, 9, 10, 11 and 12 in township 11, all in range 14, in Marion county, Alabama.

Sec. 2. Be it further enacted, That said separate school district shall receive its share of the public school funds of this State as provided for by law in proportion to the number of children within the educational age residing in said district.

Sec. 3. Be it further enacted, That the superintendent of education of Marion county shall within thirty days after the passage of this act appoint three trustees for said school district, who shall possess the same qualifications and discharge the same duties as trustees of the other public schools of the State and such trustees shall hold their office for a term of two years from the date of their respective appointments.

Approved February 13, 1897.

No. 375)

AN ACT

(S. 244

To amend an act to create a separate school district in the town of Brewton, Alabama, to define its boundaries and provide for the maintenance of schools therein, approved February 6th, 1895.

Be it enacted by the General Assembly of Alabama, That an act entitled an act to create a separate school district in the town of Brewton, Alabama, to define its boundaries and provide for the maintenance of schools therein" be amended so as to read as follows: Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district to be known as the "Brewton School District" of Escambia county, Alabama, be and the same is hereby established, to

consist of all that part of township two, range ten, lying within two miles of the court house in the town of Brewton; and the inhabitants of said territory are hereby incorporated under the name of the "Brewton School District," and by that name may sue and be sued, contract and be contracted with, may have, take, hold, sell, exchange, rent, lease, and convey real and personal property; buy, rent and lease school houses, and exercise all the rights, powers, franchises and privileges which are or may be necessary and proper to carry into effect the purposes of this act for the successful operation of a system of public schools within said district.

Sec. 2. Be it further enacted, That the board of mayor and councilmen of the town of Brewton be, and they are hereby constituted a board of trustees, with the mayor as ex-officio president thereof, who shall take full control and management of said school, and exercise for said district schools all the duties, powers and privileges by this act conferred, and make, and have made, the enumeration of children in the district, and furnish to the county superintendent of education all such reports, statistics and information as are, or may be, required of township trustees under the general laws of the State.

Sec. 3. Be it further enacted, That it shall be the duty of said board of trustees to establish one school sufficient for the white pupils, in said district, and one for the colored pupils, in said district and no more; to elect the principals and teachers, fix their compensation, prescribe their duties and control the distribution of teachers and pupils in said schools; to dictate the course of instruction, the number and character of text books, the method of teaching, prescribe rules and regulations for the government of the two schools; buy, rent and lease lands and houses needed for school purposes and ap-

propriate money from the school funds of the district to pay for the same; have and take the custody and control of all such buildings and property; and have and exercise all such other powers as may be necessary for the complete control and management of the schools herein provided for.

Sec. 4. Be it further enacted, That the children and wards, from seven to twenty-one years of age, of all residents of said school district, who have conformed to the regulations and rules of the board of trustees, shall be entitled to admission in the public schools of said district; and the children of non-residents and pupils under seven and over twenty-one years of age may be admitted into public schools on such terms and conditions as said board of trustees may prescribe.

Sec. 5. Be it further enacted, That pupils resident in the school district, of the lawful school age, shall be received free of tuition; but the board of trustees shall have power to establish and require of each pupil an incidental fee for each term or half session, applicable to all pupils alike and payable upon matriculation, of such amount as shall be sufficient, with the other available revenues of the school, to defray the salaries of teachers and other necessary expenses, and change the same from time to time as the public necessities and welfare of said schools shall require.

Sec. 6. Be it further enacted, That the public schools of said school district shall be entitled to receive their proportionate share of all funds raised or appropriated by the State, county or town for public schools, also their proportionate share of the sixteenth section fund, all poll taxes which may be collected from residents of said district, and all funds arising from tax levies, donations, contributions or appropriations by any municipality, corporation, firm or person for the support of the same.

Sec. 7. Be it further enacted, That the State superintendent of education shall apportion, and the county superintendent of education of Escambia county shall pay to the treasurer of the town of Brewton the proportionate part of the public school funds to which said district shall be entitled as herein provided. The said town treasurer shall keep all said school funds separate from other municipal funds and pay it out only on warrant of said board of trustees. The treasurer shall make report to the mayor of Brewton the amount of school funds on hand and of his collection and disbursements under this act, on the first day of December and May of each year, and like reports to the board of trustees at such other times as it may require.

Sec. 8. Be it further enacted, That all the school funds, in any manner coming to or belonging to said school district, shall be paid to and safely kept by the treasurer of the town of Brewton and by him paid out only on the order and warrant of said board of trustees and for the maintenance of the public schools therein.

Sec. 9. Be it further enacted, That said board of trustees shall have power and authority to grade the schools in said district, and issue certificates of proficiency and diplomas to such students as satisfactorily complete the course of study prescribed therefor.

Sec. 10. Be it further enacted, That said board of trustees first elected after the passage of this act, are authorized and required to adopt, for uniform use in the public schools of said district, a series of text books on each of the several branches taught therein. In making such selection, and adoption the free competition of persons, firms and corporations dealing in standard text books of merit, and free from prejudicial reflections and partisan statements against

our section and past history, shall be invited; and the bids of dealers and publishers offering the lowest and most satisfactory terms for introduction and exchange, and the best books, shall be adopted. Said adopted text books shall be used exclusively in said schools, and shall not be changed thereafter for five years, except by the unanimous vote at a full meeting of said board. It shall be the duty of the secretary of the board to publish in a newspaper, published in the district, during the month of August in each year, and furnish to the principals and teachers at the beginning of each session, a list of the text books so adopted; and the persistent neglect of a principal or a teacher to use the adopted text books shall be deemed a sufficient cause for a discharge from service. Any member of said board, or any teacher or officer, connected with said schools who shall act as the agent of any publisher or dealer or receive any pecuniary benefit or other consideration, in the matter of the adoption of text books for said schools, shall be deemed guilty of a misdemeanor and be dismissed from his office.

Sec. 11. Be it further enacted, That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

Approved February 15, 1897.

To create the Mount Zion school district in Morgan and Lawrence counties.

Section 1. Be it enacted by the General Assembly of Alabama, That all that territory in the counties of Morgan and Lawrence and situated in the following boundary lies to-wit: Beginning at the point where Cave Creek crosses the county line and running east three-fourths of one mile, thence south two and three-fourths miles to the north line of section 30, thence east one-fourth of one mile, thence south one mile, thence west one mile to the county line; thence south along said county line one half mile, thence west two miles, thence north two miles, thence east one mile thence north one mile, thence in a northeasterly direction to the point of beginning, be and the same are hereby created a separate school district, to be known as the Mount Zion school district.

Sec. 2. Be it further enacted, That said Mount Zion school district shall have its proportional share of all school funds accruing to the territory within the limits of said district and it shall be managed and controlled as all other district and township schools under and by the school laws of the State of Alabama.

Sec. 3. Be it further enacted, That on the first Saturday in March, 1897, and every two years thereafter there shall be elected by the qualified voters of said district three trustees who shall serve until their successors are elected and qualified.

Sec. 4. Be it further enacted, That said trustees shall at the beginning of each school year establish and locate one school for white children in said district and shall employ a sufficient number of competent teachers to successfully

manage and conduct said school. They shall have immediate supervision of such school and shall perform all the duties required by law of township trustees.

Approved February 15, 1897.

No. 405)

AN ACT

(H. 878

To establish two branch agricultural experiment stations for the colored race and to make appropriations therefor.

Section 1. Be it enacted by the General Assembly of Alabama, That a branch agricultural experiment station and agricultural school for the colored race is hereby established and located at Tuskegee, Macon county, Alabama, to be run in connection with the Tuskegee Normal and Industrial Institute, and to be known as the Tuskegee Agricultural Experiment Station and Agricultural School.

Sec. 2. Be it further enacted, That the board of control of said station and school shall be composed of the State commissioner of agriculture, the president of the A. & M. college and the director of the State experiment station at Auburn, Alabama, and the members of the board of trustees of the Tuskegee Normal and Industrial Institute, who reside in the town of Tuskegee and their successors who shall also reside in the town of Tuskegee, Alabama. The members of said board shall not receive any compensation other than expenses actually incurred in visiting the station and school and while there supervising its affairs.

Sec. 3. Be it further enacted, That the said board of control shall have power to elect the director, teachers and such other officers, agents and servants as are deemed necessary to the operation of the said station and school, fixing the com-

pensation, and shall manage said school and station as in their judgment they think best.

Sec. 4. Be it further enacted, That for the equipment and improvement of said station and school there is hereby appropriated out of the agricultural fund in the treasury, not otherwise appropriated, the sum of fifteen hundred dollars, one-fourth of said sum to be paid quarterly, towit: January 1st, April 1st, July 1st, and October 1st, of each year to the treasurer of said board of control, who shall give bond in double the amount of the appropriation, for the safe keeping and faithful application of the sum appropriated, the bond to be approved by the judge of probate of Macon county, Alabama, and filed in his office, a certified copy of which shall be forwarded to the commissioner of agriculture, to be placed on file in his office.

Sec. 5. Be it further enacted, That the trustees of the said Tuskegee Normal and Industrial Institute shall furnish for the use of said station and school all the necessary lands and buildings and that for such use they shall make no charge against the State of Alabama.

Sec. 6. Be it further enacted, That the board of control must cause such experiments to be made at said station as will advance the interest of scientific agriculture, and to cause such chemical analyses to be made as are deemed necessary, all such analyses, if requested, to be under the supervision of the commissioner of agriculture by the chemist of the agricultural department without charge.

Sec. 7. Be it further enacted, That said board of control may adopt such rules and regulations as they may deem necessary for the purpose of carrying out the provisions of this act, so that the colored race may have the opportunity of acquiring intelligent and practical knowledge of agriculture in all its various branches.

Sec. 8. Be it further enacted, That it is the purpose of this act to appropriate to the support of the experiment station established by this act; the sums appropriated in this act are appropriated only for the purpose of maintaining and operating experiment stations with the view of educating and training colored students, as herein named, in scientific agriculture.

Sec. 9. Be it further enacted, That the Alabama State normal school for colored students at Montgomery is hereby constituted an experiment station and shall be under its present board of trustees, and a thousand dollars per annum is hereby appropriated out of the treasury to the credit of the agricultural department, not otherwise appropriated, for the purpose of operating an experiment station in connection with said Alabama normal school for colored students at Montgomery, Alabama.

Approved February 15, 1897.

No. 422)

AN ACT

(H. 711

To establish a separate school district in Barbour county, Alabama, to be known as the Louisville and Mt. Zion school district.

Section 1. Be it enacted by the General Assembly of Alabama, That the following described territory situated in the county of Barbour, shall constitute a separate school district to be known as the Louisville and Mt. Zion school district, to-wit: Section twenty-eight, twenty-nine, thirty, thirty-one, thirty-two and thirty-three in township ten, range twenty-five, also sections thirty-five and thirty-six, in township ten, range twenty-four; also sections four, five, six, seven, eight,

nine, sixteen, seventeen, eighteen, and nineteen in township nine, range twenty-five; also sections one, two, eleven, twelve, thirteen, fourteen, twenty-three and twenty-four in township nine, range twenty-four.

Sec. 2. Be it further enacted, That said district shall receive its pro rata share of all funds raised or appropriated by the State for public schools, and shall also receive its pro rata of the sixteenth section interests accruing to the townships from which said districts is composed, and it shall receive all poll tax which may be collected from residents of said school district, and all funds which may be donated to said district and said districts shall be managed and controlled as prescribed by law for townships and other school districts in said county; Provided, that only two public schools shall be established in said district, one for white children at Louisville, and one for colored children at Mt. Zion.

Approved February 15, 1897.

No. 423)

AN ACT

(H. 520

To create a separate school district in beat 1, T. 21 and 22, R. 21, in Tallapoosa county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That the following described territory in T. 21 and 22 and R. 1, Tallapoosa county, to-wit: Sections 33, 34, 35, and 36, and also sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17, which are in T. 21, R. 21, except the W. $\frac{1}{2}$ of the W. $\frac{1}{2}$ of section 5, and the N. W. $\frac{1}{4}$ of the N. W. $\frac{1}{4}$ of section 8 in T. 21, R. 21, and including all the territory within said section to be known as the M. I. Academy school district, it being near the centre of said district.

Sec. 2. Be it further enacted, That said district shall have seven trustees who shall be householders and freeholders residing in said district and who shall be elected on the first Monday in June, 1897, and every two years thereafter, and who shall hold office for a term of two years and until their successors are elected and qualified, Provided, that said trustees shall be elected by the qualified white voters who reside in the boundaries as set out in section 1 of this act.

Sec. 3. Be it further enacted, That it shall be the duties of said trustees to establish and locate one school for the white race and but one to be taught each year within said district and to elect officers and teachers for the same and to perform all other duties necessary to the proper organization, regulation and maintenance of said school, making contracts with teachers and approving reports in the manner provided by the general school laws for the trustees of townships. Provided, that said trustees may elect one of their number chairman of the board of trustees of said district and said chairman may contract with teachers and approve reports as in the manner provided by the general school laws for trustees of townships.

Sec. 4. Be it further enacted, That said school district shall be entitled to receive its proper proportionate share of all funds raised or apportioned by the State or county for the public schools, also its proportionate share of the sixteenth section fund accruing to the township of which said school district is a part of, and it shall receive all poll tax which may be collected from the white residents of said school district and all funds which may be donated thereto.

Sec. 5. Be it further enacted, That the M. I. Academy school shall be the only school in said district for the white race.

Approved February 15, 1897.

To create a separate school district in portions of Cullman and Marshall counties.

Section 1. Be it enacted by the General Assembly of Alabama, That the following described territory situated in the counties of Cullman and Marshall shall constitute a separate school district, to-wit: Beginning at the county line between the counties of Cullman and Marshall at the centre of section thirty-five (35), township eight (8), of range one (1), east; thence due south to the Parrit creek, thence running down the said Parrit creek to where said creek enters the Warrior river, thence up the main stream of the Warrior river to where it crosses the county line between the counties of Cullman and Marshall, thence west along the county line between the counties of Cullman and Marshall to the place of beginning at the centre of section thirty-five (35), township eight (8), range one (1), east.

Sec. 2. Be it further enacted, That said school district shall receive its proportionate share of the school funds due said district and poll taxes collected from persons living in said district.

Sec. 3. Be it further enacted, That said separate school district shall be under the supervision of the three trustees who shall be elected by the qualified voters of said district, whose term of office shall be two years from January 1st, 1897, and their successors shall be elected every two years thereafter.

Sec. 4. Be it further enacted, That the superintendent of education of Cullman county shall appoint three trustees for said school district who shall call and hold an election for district trustees at a time and place in said district to be designated by them.

Sec. 5. Be it further enacted, That said school district shall receive from the counties of Cullman and Marshall its proportionate share of all the monies due the respective territory or inhabitants of the respective territory to be paid by the respective superintendents of education of said counties upon the order of said trustees to teachers in accordance with contracts made and approved by the superintendent of education of Cullman county, Provided further, that no monies shall be expended except for the purpose of employing teachers in said district.

Sec. 6. Be it further enacted, That the school patrons of said district shall supplement the school fund of said district as far as possible so as to run the schools of said district at least six months in each year.

Sec. 7. Be it further enacted, That said school district shall be governed and controlled in all other respects except as herein provided by the general laws of the State.

Sec. 8. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be and are hereby repealed.

Approved February 15, 1897.

No. 429)

AN ACT

(H. 354

To establish a separate school district in townships 10 and 11 of range 18, Crenshaw county, Alabama, to be known as the Bradleyton School District.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district is hereby established in townships 10 and 11 range 18, Crenshaw county to be known as the Bradleyton School District.

Sec. 2. Be it further enacted, That W. J. Warner, W. C. Warrick and H. E. Stoddard shall constitute the board of trustees for said school district and shall hold their office for a term of four years, and their successors shall be appointed or elected as provided by the general school laws.

Sec. 3. Be it further enacted, That the said board of trustees of said school district shall have all powers and perform such duties as are required of trustees of public schools of Alabama.

Sec. 4. Be it further enacted, That the State superintendent of public instruction shall apportion to said school district a proportionate share of all school funds due townships 10 and 11 of range 18, Crenshaw county, from year to year.

Approved February 15th, 1897.

No. 433)

AN ACT

(H. 789

To establish a separate school district known as the Jackson School District in Clarke county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That the territory within the corporate limits of the town of Jackson together with all the territory in township six, north of range 2, east, west of Bassett's creek, in Clarke county, Alabama, be, and the same is hereby declared a separate school district known as the Jackson school district, subject to the public school laws of the State of Alabama; except, that it shall be the duty of the superintendent of said school district at the close of each scholastic year, to give an order on the county superintendent of Clarke county, Alabama, and payable to the treasurer of the board of trustees of the Jackson Agricultural College, located in the town of

Jackson, for all funds due the white children of said school district, which fund shall be used in helping to defray the expenses of said Jackson Agricultural College; Provided, that when Jackson Agricultural College ceases to be a free school, the said district shall be subject to the public school laws of Alabama, without the above exceptions.

Sec. 2. Be it further enacted, That on the presentation of the order of the district superintendent by the said treasurer, the said county superintendent shall pay the amount, and take a receipt for same and file the receipt together with the order in his office.

Sec. 3. Be it further enacted, That it shall be the duty of the county superintendent of Clarke county, Alabama, immediately upon the passage of this act to appoint a superintendent for the Jackson school district, who shall immediately take the census of said school district, and report the same to the county superintendent. Said district school shall receive its pro rata share of the sixteenth section fund of said township six north of range two, east.

Sec. 4. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act shall be inoperative against the provisions hereof.

Approved February 15, 1897.

No. 434)

AN ACT

(H. 368

To provide for the better support and maintenance of the public schools of Walker county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That the commissioners court of Walker county, Alabama, be and they are hereby directed and required to levy

and have collected under the laws of this State for the year 1897 and each and every year thereafter a tax of not less than ten cents on the one hundred dollars worth of the value of all taxable property in said county, as assessed for revenue for the State, for the support and maintenance of the public schools in said county as hereinafter provided.

Sec. 2. Be it further enacted, That it shall be the duty of the tax collector of said county to pay over to the county treasurer, as herein provided, all moneys collected by him and on hand under the provisions of this act, on the first day of January of each year, and on the first day each month thereafter, until the same shall have all been paid.

Sec. 3. Be it further enacted, That it shall be the duty of the county treasurer of said county to keep a separate account of all funds paid to him to the credit of the public schools, and it shall be unlawful for any of said public school funds to be for, applied or appropriated to any use whatsoever.

Sec. 4. Be it further enacted, That it shall be the duty of the county superintendent of education to furnish by the first day of October of each year, to the county commissioners, the census of the school children taken under the law of the State of Alabama, showing the number of children within the school age of the several townships and separate school districts within said county.

Sec. 5. Be it further enacted, That the county commissioners shall as soon as practical after the assessment of taxes and receipts of the census provided for in section 4 of this act, in every year determine what amount of such school fund shall be apportioned to the several townships and separate school districts in said county, and the amount so determined, shall be in exact proportion to the number of children in such township or separate school districts as shown by the last

census taken of school children, under the laws of this State, next before such action of the county commissioners, and they shall furnish the county superintendent of education and the treasurers of incorporated towns and cities having and maintaining public schools under special school laws the amount of such school fund by them to the several townships, separate school districts and incorporated towns and cities, and upon such determination it shall be the duty of the county treasurer to pay the county superintendent of education the amounts allowed by the commissioners' court for the several townships in said county, and to the treasurers of incorporated towns and cities within said county having a separate school district or schools managed or controlled by such town or city authorities, the money allowed by the commissioners' court for such incorporated towns or cities, such payments to be made upon the warrant of the probate judge of said county, and the money thus paid shall be used exclusively for the support and maintenance of the public schools within the respective townships and separate school districts, and for no other purposes; Provided that upon the application of the township trustees of any township or special school district except such districts as are controlled and managed by town or city authorities, and by the approval of the county superintendent of education, the commissioners of said county, at their meeting in November of each year, may grant the trustees authority to use all or part of the county public school funds appropriated to any public school in their township, for the purpose of building, repairing or furnishing said township or school district a school house; Provided further, that the patrons of said school furnish an equal amount for the purpose of building, repairing or refurnishing said school house, and if they fail or refuse to furnish or pay an equal amount

asked of the county commissioners by said trustees, then it shall be unlawful for the money appropriated by the commissioners to be spent for building, repairing or furnishing said schools.

Sec. 6. Be it further enacted, That if from any cause, all of the funds apportioned to any school by trustees is not used, the balance arising shall be apportioned the succeeding year to the same school, in addition to the regular appropriation.

Sec. 7. Be it further enacted, That the township trustees shall not contract for a school of less than five scholastic months, except where all or a part of the county school fund are used for building, repairing or furnishing said school houses.

Sec. 8. Be it further enacted, That the township trustees shall have the sole power to select teachers for the public schools, which selection shall be done at a call meeting at some place in the township, by giving ten day's notice of the time and place of said meeting, by posting three notices in public places in the township; and in said notices they shall designate for what schools teachers are to be selected; and they shall have due regard in selecting a teacher to experienced teachers, and teachers that are qualified to teach all children apportioned to the respective schools, and to teachers holding the highest grade certificate.

Sec. 9. Be it further enacted, That after due notice and investigation trustees shall dismiss any teacher, although having the requisite certificate, who proves unfit to teach, or whose services they deem unprofitable to the school, or any other cause sufficient in their judgment, and give to the person thus dismissed a certificate of dismissal and the reason therefor, a copy of which they shall retain; but the party

dismissed shall be paid for the time taught according to the terms of his contract.

Sec. 10. Be it further enacted, That the township trustees shall be exempt from road duty and poll tax, and shall be paid by the county superintendent of education, out of the county school fund, two dollars each for taking the census of children as now provided by law of the State of Alabama.

Sec. 11. Be it further enacted, That sections seven, eight, nine and ten of this act do not apply to towns and cities whose schools are managed and controlled by special acts of the legislature.

Sec. 12. Be it further enacted, That the county superintendent of education shall be paid, in addition to the compensation now fixed by law, such amount as the court of county commissioners may deem to be just and equitable, but in no case exceeding one per cent. of all funds disbursed by him under this act.

Sec. 13. Be it further enacted, That the tax assessor and tax collector shall respectively assess and collect said taxes without additional compensation.

Approved February 15, 1897.

No. 435)

AN ACT

(H. 843

To amend an act entitled an act to establish a separate school district to be known as Reynolds school district in Henry county.

Section 1. Be it enacted by the General Assembly of Alabama, That an act entitled an act to establish a separate school district to be known as Reynolds school district in Henry county, approved December 13th, 1894, be amended so as

to read as follows: That all that part of township 7, range 26 and township 7, range 27 in Henry county bounded as follows: On the east by Choctawhatchie river on the west by the Dale county line, on the south by the line between townships 6 and 7, and on the north by the Watson Bridge road, composing a territory of five miles long and four miles wide be and the same is hereby established as a separate school district to be known as Reynolds school district to be separate and apart from the remainder of the townships from which the same has been taken and shall be under the supervision of a district superintendent of public schools, appointed by the county superintendent of education with power to transact all matters pertaining thereto, the same to be conducted in all respects as is now or may hereafter be provided by law for the control and management of the educational interest of the other school districts of the State, said district and the funds thereof, to be kept and used therein separate from the other districts of said county.

Approved February 15, 1897.

No. 437)

AN ACT

(H. 1025

To establish a separate school district, to be known as the Point Clear District, in Baldwin county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as the Point Clear School District, in Baldwin county, Alabama, be and the same is hereby established, to consist of the following territory to-wit: The south half of township six (6), range two (2), and fractional township six (6), range one (1).

Sec. 2. Be it further enacted, That the educational affairs

of said school district shall be under similar control as that of the township districts of the State, and shall be managed by three trustees who shall be appointed by the county superintendent of education.

Sec. 3. Be it further enacted, That all laws and parts of laws in conflict with this act, be and the same is hereby repealed.

Approved February 15, 1897.

No. 441)

AN ACT

(H. 617

To amend section one (1) of an act entitled an act to create a separate school district in Cullman county, Alabama, and define the boundaries of the same, approved February 28, 1887.

Section 1. Be it enacted by the General Assembly of Alabama, That section one of an act entitled an act to create a separate school district in Cullman county, Alabama, and define the boundaries of the same, approved February 28th, 1887 be amended so as to read as follows, viz: Section one (1) Be it enacted by the General Assembly of Alabama, that a separate school district be and the same is hereby established as hereinafter provided in the county of Culman, and State of Alabama, which district shall be composed and consist of that territory included in the following described territory, viz: Beginning at Duck, or Donaldson creek, one half mile south of the township line, between townships eight and nine, thence west, on a straight line through the middle of sections one and two to the middle of section three (3) township nine (9) of range two (2) west, thence south through the middle of sections three (3) ten (10) and fifteen (15). Thence east

in section line one mile thence south to the center of section (23) twenty-three, thence east on the middle line of said section twenty-three (23) one half mile, thence east through the middle of section twenty four (24) to the range line, between ranges one and two, west, thence north along said range line, to the middle of section eighteen (18) township nine (9) of range one (1), thence east through the middle of said section to the line between sections seventeen and eighteen, township (9) of range one (1), west, thence along said section line north to Duck creek, thence north along said Duck creek or Donaldson creek to the place of beginning.

Sec. 4. Be it further enacted, That all laws and parts of laws in conflict with these provisions of this act, be and are hereby repealed.

Approved February 16, 1897.

No. 442)

AN ACT

(H. 612

To establish, organize and maintain a system of public schools in Woodlawn, Jefferson county, Alabama, and to levy and collect tax for the support of said schools.

Section 1. Be it enacted by the General Assembly of Alabama, That the town of Woodlawn is hereby made a separate school district.

Sec. 2. Be it further enacted, That the public schools of the town of Woodlawn shall be under the charge of a board of education; to consist of a mayor of Woodlawn, who shall be chairman of the board of education, and five other persons to be elected by the mayor and aldermen of said town. Said board of education shall exercise the powers and perform the

duties hereinafter provided. Three members of the board shall be elected for a period of three years; the remaining members for a period of two years. Election of said board of education shall be on the first Monday in May, 1897, and on the first Monday in May thereafter at the expiration of each member's term of office.

Sec. 3. Be it further enacted, That each member of said board of education, except the mayor, shall, upon his introduction into office, subscribe to an oath, affirmation, to faithfully discharge all the duties imposed upon him as a member of said board; such oath may be administered by the mayor of said city.

Sec. 4. That said board of education shall have the power to build upon the property of the city suitable houses for the accommodation of the public schools of said city, whenever funds shall have been provided for the same, or the board may rent such houses, and shall keep such houses in repair and furnish with suitable furniture, apparatus and appliances, and to enable said board to maintain an efficient system of public schools free as nearly as practicable to all school children in the city, thereby is hereby levied and laid upon all the taxable property within the corporate limits of the said city of Woodlawn, or that may be lawfully taxable therein, an annual tax of fifteen cents on every one hundred dollars worth of such property, which shall be assessed by the tax assessor of Jefferson county at the same time and in the same manner and under the same penalties and entered on the same lists with other State taxes, and the same shall be collected by the tax collector of Jefferson county, at the same time with, and as a part of, the State taxes, and, when collected, shall be paid over each month to the treasurer of said board of education, to be by him expended and paid out under the

orders and the direction of said board of education. That when the tax levied by the State shall exceed fifty-five cents on every one hundred dollars worth of taxable property, then the tax hereby levied shall be diminished to that rate which, added to the rate added by the State, shall not exceed seventy-five cents on every one hundred dollars worth of taxable property—the limit fixed by the constitution.

Sec. 5. Be it further enacted, That said board of education shall open a sufficient number of schools to meet the needs of the population of the town of Woodlawn, and said board shall elect a superintendent or principal of said school or schools, and all teachers, and, if need be, elect a city superintendent of education. Said board shall fix their compensation and prescribe their duties shall dictate the course of instruction; the number and character of text books. Said board shall prescribe the methods of teaching, the rules and regulations of the government of the schools; and shall have and exercise such additional power as may be necessary to give it complete control of the public schools of said town.

Sec. 6. Be it further enacted, That said board shall issue diplomas to all persons who shall satisfactorily complete the course of study prescribed for the high school of said town.

Sec. 7. Be it further enacted, That the children and wards of all actual residents within the corporate limits of said town from seven to twenty-one years of age, shall be entitled to seats as pupils in the public school or schools of said town, upon compliance with conditions to be mentioned in the following sections: Provided, That such children shall, themselves, be bona-fide residents of said town; and non-resident children may be admitted in such schools on such terms and conditions as the board of education may prescribe; Provi-

ded, the separate schools shall be provided for the children of the citizens of African descent.

Sec. 8. Be it further enacted, That the board of education shall charge in the several grades of said schools, such incidentals or other fees as may be deemed necessary for the proper conduct of said schools.

Sec. 9. Be it further enacted, That it shall be the duty of the board of education, when necessary, to prepare and file with the mayor of Woodlawn an estimate of money that will be required for the erection and repair of necessary school buildings, and the board of mayor and aldermen of said city shall make necessary provisions to supply the funds required in said estimate, within the discretion of the board of mayor and aldermen.

Sec. 10. That all moneys devoted to the public school purposes in the city of Woodlawn, whether derived from State, county, or city, or obtained by gift or bequest, or any other manner whatsoever, shall be paid over to the treasurer elected by the board of education, as herein provided. All moneys intended for school purposes which may be in the hands of the treasurer of the city of Woodlawn, together with the poll tax and all other moneys from whatsoever source, shall be by him paid over to the board of education on the first and fifteenth of each month, or oftener, and the said treasurer of the board of education shall execute his bond, the amount of same to be fixed by the said board. Such moneys, together with all unexpended balances, in the hands of said treasurer of the board of education, shall constitute a school fund, which shall be disbursed in the interest of the public schools of the city of Woodlawn in such manner as the board of education may direct.

Sec. 11. Be it further enacted, That the board of educa-

tion shall have authority to create a board of examination of applicants for positions as teachers in public schools in the town of Woodlawn.

Sec. 12. Be it further enacted, That the board of education may, in its discretion, institute competitive examinations before such persons as the board may select, of applicants for positions as teachers in the public schools of said city, including licensed teachers in such schools who are applicants for selection as teachers.

Sec. 13. Be it further enacted, That all laws in conflict with the provisions of this act be and the same are hereby repealed.

Approved February 16, 1897.

No. 444)

AN ACT

(H. 883

To regulate the collection of the poll tax in Tuscumbia school district of Colbert county.

Section 1. Be it enacted by the General Assembly of Alabama, That on and after the passage of this act it shall be the duties of the trustees of the separate school districts of Tuscumbia to make three lists of all the male citizens in that school district who are now required by law to pay a poll tax; one list to be furnished to the tax assessor, one to be furnished to the tax collector of Colbert county on or before the first day of March of each year, and one copy filed in the office of the probate judge for the use of the commissioners court.

Sec. 2. Be it further enacted, That said list when filed in the office of the probate judge shall be prima facie evidence that all the parties named therein are liable for a poll tax for the year the list is filed.

Sec. 3. Be it further enacted, That the tax collector shall in his statement with the commissioners court as now provided by law be charged with the poll tax for each of the individuals named in the list and shall be required to pay the same in the manner he is now required to pay the poll tax collected, unless he can show to the commissioners court a legal excuse for his failure to collect the tax.

Sec. 4. Be it further enacted, That it shall be the duty of the tax collector to give the president of the board of trustees of said school district ten days notice of the time he will make his settlement with the commissioners court. And at the time of such settlement the board of trustees may appear before the commissioners court in person or by an agent, or attorney; and show that the poll tax could have been collected from the parties named in said list.

Sec. 5. Be it further enacted, hat on being notified by the board of directors of said school district the tax collector shall publish in a county paper a list of the delinquent polls, and a short statement of his excuse for not collecting it.

Sec. 6. Be it further enacted, That this act shall take effect immediately after its passage and approval by the governor.

Approved February 15, 1897.

No. 447.)

AN ACT

(H. 940.

To establish a separate school district in Cherokee county, to be known as "The Leesburg School District."

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as "The Leesburg School District," in Cherokee county, Alabama, be

and the same is hereby established; which said district shall be composed of, and include, the following territory within the following named boundaries, to-wit: Commencing on the north bank of Coosa river at a point where the east boundary line of John T. Richardson's land runs to said river; running thence with said boundary line to the Gadsden and Cedar Bluff public road; running thence with said public road west to where the private road leading to Stout's gin, now leaves said public road; running thence with said private road to the Stimpson branch; running thence up said branch in a northerly direction to the foot of Lookout Mountain; running thence down the foot of said mountain to a point opposite the house of Charley Kanapka; running thence south to the Annie Batters branch; running thence down said branch to J. B. Hales' place and to a point in said place where the Gadsden and Center public road crosses said branch; running thence along said Gadsden and Center road in a northeastern direction, in to Dickson's shop; thence north along the Adam ferry road to land line between M. M. Cantrell and J. V. Livingston; thence east along said line straight to Coosa river with its meanderings, to the point of beginning.

Sec. 2. Be it further enacted, That B. B. Fountain, W. L. Daniel, J. T. Richardson, B. E. Nance and M. M. Cantrell be and they are hereby appointed trustees of said district to serve until the next regular election of township trustees in Cherokee county, Alabama, at which said election there shall be elected by the qualified electors of said school district five trustees as the successors of the said five trustees herein appointed. Provided, That the said trustees herein named or either of them shall be eligible to election as such trustees.

Sec. 3. Be it further enacted, That the said trustees named and provided for in section 2 of this act shall have full

control of the educational affairs of said district, and shall have the power and it shall be their duty to establish and locate one school, and only one, within said district for the white race, and build and provide one suitable house, and only one, for the accommodation of said school, and that when said school be so located, and said school house shall be so built or provided, it shall be called the "Leesburg High School," and shall be the only school in said district for the white race.

Sec. 4. Be it further enacted, That said school district shall be entitled to receive its proportionate share of all funds, raised or apportioned by the State or county for public schools, also its proportionate share of the sixteenth section funds accruing to the townships of which said school district is a part, and it shall receive all poll tax which may be collected from the white residents of said district and all funds which may be donated thereto.

Sec. 5. Be it further enacted, That said trustees named and provided for in section 2 of this act, shall have full authority to employ the necessary teachers for said school district and to perform any and all other duties necessary to the proper organization, regulation and maintenance of said school, such as approving reports of teachers, &c., in the manner provided by the general school laws for the trustees of townships. Provided, that said trustees named and provided for in section 2 of this act, may elect one of their number chairman of the board of trustees of said district and that said chairman may contract with teachers for said school, and approve reports of such teachers, as in the manner provided by the general school law for trustees of townships, the said acts of chairman to be subject to the approval of a majority of said board of trustees.

Sec. 6. Be it further enacted, That said board of trustees

named and provided for in section 2 of this act, shall have power to establish a rate of incidental fees, from time to time, as they may deem proper, such fees to be applicable to all pupils of said schools alike for the proper support and conduct of said schools, and charge the same from time to time as the public necessities and welfare of said school require.

Sec. 7. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

Approved February 16th, 1897.

No. 453.)

AN ACT

(H. 1029.

To create a separate school district in Jackson county, to be known as Section, out of a part of township 5, range 6, east.

Section 1. Be it enacted by the General Assembly of Alabama, That all of township 5, range 6, lying south of the Tennessee river, in Jackson county, be and the same is hereby made a separate school district, to be known as the school district of "Section."

Sec. 2. Be it further enacted, That on the last Monday in August, 1897, and every two years thereafter, there shall be elected by the qualified voters of said district three trustees of said school, who shall hold office for two years, and until their successors are elected and qualified. Such trustees shall be elected as is provided by law for township trustees in Jackson county, and these trustees shall have all the authority and exercise all the powers of township trustees.

Sec. 3. Be it further enacted, That said trustees shall be

required to give bond and security in such sum as shall be prescribed by the county superintendent of education.

Sec. 4. Be it further enacted, That said board of trustees are authorized to employ and contract for a teacher or teachers for a term of two years.

Sec. 5. Be it further enacted, That a public school is hereby located at a place known as Section in said district, and that no public school shall be located in said district nearer than two miles of said school at said Section, and there shall in no case be more than three public schools located in said district.

Sec. 6. Be it further enacted, That the board of trustees of said district, shall control the disposition of all funds which may be raised for said district. The said board of trustees, together with the trustees of township 5, range 6, north of the Tennessee river, are empowered to rent or lease any part or all of the (1-16) sixteenth section, with its ferry lying within said district, and remaining part of township 5, range 6, and to transact any and all business that trustees may of right do for the successful management of the sixteenth section and its funds not in conflict with the laws of the State or of the United States.

Sec. 7. Be it further enacted, That the said school district shall be entitled to its pro rata share in all public school funds for Jackson county.

Sec. 8. Be it further enacted, That said trustees shall receive no compensation for their services, but shall be exempted from public road duty.

Sec. 9. Be it further enacted, That all laws and parts of laws in conflict with this act are hereby repealed.

Approved February 15th, 1897.

No. 458.)

AN ACT

(H. 887.)

To authorize the levy and collection of a tax upon property within the city of Gadsden, Alabama, or that may be lawfully taxable therein for the maintenance of the public schools of said city.

Section 1. Be it enacted by the General Assembly of Alabama, That for the maintenance of the public schools of the city of Gadsden, Alabama, there shall be levied and collected upon all the taxable property within the corporate limits of said city, or that may be lawfully taxed therein, an annual tax of fifteen cents on every one hundred dollars worth of such property, which shall be assessed by the tax assessor of Etowah county, Alabama, at the same time and in the same manner and under the same penalties and enter on the same list with taxes levied for State purposes, and the same shall be collected by the tax collector of Etowah county, Alabama, at the same time that he collects State taxes.

Sec. 2. Be it further enacted, That when said tax collector shall collect the taxes herein provided for, the same shall be paid over each month by him to the treasurer of the board of education of said city, and be disbursed by said board of education in support and maintenance of the public schools of said city; Provided, that whenever the tax levied by the State shall exceed sixty cents on every one hundred dollars of taxable property, then the tax hereby levied shall be diminished to such a rate as, added to the rate levied by the State, shall not exceed seventy-five cents on every one hundred dollars worth of taxable property, the limit fixed by the constitution.

Sec. 3. Be it further enacted, That the provisions of this

act shall apply to each and every year after the passage thereof.

Sec. 4. Be it further enacted, That all laws and parts of laws, general or special, in conflict with the provisions of this act, be and the same are hereby repealed.

Approved February 15th, 1897.

No. 464.)

AN ACT

(S. 228.

To establish a separate school district in Calhoun county, to be called Randolph School District.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district is hereby established in Calhoun county to be called Randolph School District, with the following boundaries, viz: Beginning at the intersection of the Anniston city limits on the west with the township line between townships fifteen and sixteen, thence west along said township line to the northwest corner of the northeast quarter of section two, township sixteen, range seven, thence in a direct line southeasterly to the intersection of the Pine Grove road with Hunter street as shown by the map of Mechanicsville; thence southeasterly through the intersection of Le Grand and Jefferson streets, as shown by the map of Mechanicsville, to the range line between ranges seven and eight; thence north along said range line to the Anniston city limits; thence northerly with said Anniston city limits to the point of beginning.

Sec. 2. Be it further enacted, That upon the approval of this act, the county superintendent of Calhoun county shall appoint three trustees of said school district, who shall have

the powers and discharge the duties of school trustees within said district. One of said trustees shall be appointed to hold office until October 1st, 1897; another, until October 1st, 1898, and the third, until October 1st, 1899; and upon the first days of October of each year, the county superintendent of Calhoun county shall appoint one trustee of said district, whose term of office shall be for three years, and until his successor is appointed.

Sec. 3. Be it further enacted, That said school district shall receive its proportionate share of the public school funds of the State and of said county, and the poll tax collected within the district, and the same shall be disbursed as now or as may be hereafter provided by law.

Approved February 16th, 1897.

No. 471.)

AN ACT

(H. 610.)

To establish a separate school district in Franklin county, Alabama, to be known as the Belgreen School District, and to fix the boundaries of same.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district be established, to be known as the Belgreen School District in Franklin county, Alabama, to be subject to the school laws of the State of Alabama. Said district shall be composed and consist of the following territory within the following named boundaries, to-wit: Commencing at the southwest corner of section eleven, township seven, range thirteen, running east one-half mile east of township line separating township seven, range twelve from township seven, range thirteen (distance $2\frac{1}{2}$ miles);

thence north to Cedar creek (distance about 3 miles); thence down said creek to the Indian line (distance about 2 miles); thence south to the southwest corner of section 35, township 6, range 13 (distance about 2 miles); thence west to Lick creek (distance about $1\frac{1}{2}$ miles); thence up said creek one mile; thence west one-fourth mile; thence south one-half mile; thence east one-fourth mile; thence up said creek to the place of beginning (about 1 mile); all in Franklin county.

Sec. 2. Be it further enacted, That the educational affairs of said district shall be under the control of a board of trustees, consisting of three, who shall be elected as now provided by law for the election of township trustees, and said board shall have the same authority and power, and shall be governed by the same rules of law as are made and prescribed for township trustees of public schools in this State.

Sec. 3. Be it further enacted, That the county superintendent of education of Franklin county shall appoint three trustees, residents of said school district, to hold office until their successors shall be duly elected and qualified.

Sec. 4. Be it further enacted, That the said school district shall receive its proportionate share of the public school revenue, including a pro rata share of the 16th section funds, and shall also receive all the tax collected as poll tax from white people within the limits of the territory set forth in the first section of this act.

Sec. 5. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act be, and the same are hereby repealed.

Approved February 16th, 1897.

No. 479.)

AN ACT

(H. 769.

To establish a separate school district in Barbour county, to be known as the Lodi School District.

Section 1. Be it enacted by the General Assembly of Alabama, That there is hereby created, in Barbour county, a separate school district, to be known as the Lodi School District, composed of the territory within the following boundaries: Commencing at a point on East Choctawhatchee river where the Barbour and Henry county lines meet; thence run west along said line two and one-half miles; thence north three and three-fourths miles; thence east to Choctawhatchee two miles; thence south down said Choctawhatchee three and three-fourths miles to Barbour and Henry county line.

Sec. 2. Be it further enacted, That the superintendent of education of Barbour county, and his successors, are hereby authorized and required to appoint three trustees who shall be resident citizens of said district, who shall perform all the duties now, and that may hereafter be, incumbent on township trustees as to public schools in said district, and said superintendent of education of Barbour county, and his successors, shall apportion to said school district funds in the same manner as is now provided by law for township and other school districts in their respective counties.

Sec. 3. Be it further enacted, That said Lodi School District shall be entitled to its proportionate share of all funds raised or appropriated by the State for public schools, also its proportionate share of the sixteenth section fund accruing to the townships of which said district is a part, and it shall receive all poll taxes which may be collected from residents of said school district, and all funds which may be donated thereto.

Approved February 16th, 1897.

No. 487.)

AN ACT

(H. 938.

To create a separate school district in the county of Macon,
to be known as the Cross Keys High School District.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district in the county of Macon, to be known as the Cross Keys High School District, is hereby created, to be composed of all of townships sixteen and seventeen in said county, which lies west of the dividing line between Cross Keys beat and LaPlace beat, in said county.

Sec. 2. That said district and the school to be established therein shall be under the direction and control of a board of trustees, composed of F. M. Letcher, J. A. Bullock, J. H. Henderson, J. S. Lightfoot and L. A. Lyon, who shall hold their office until the next general election in said county.

Sec. 3. That said board of trustees shall have the same power and authority in said district as is given to trustees by the laws of the State; and said trustees shall elect a school superintendent who shall perform all the functions like other school superintendents in this State.

Sec. 4. That at the next general election in this State, and at every general election thereafter, five trustees shall be elected as qualified electors of said district, whose election shall be certified to the county superintendent of education of Macon county by the managers of election of said Cross Keys beat; and the trustees so elected and certified shall hold office until their successors are elected and qualified.

Sec. 5. That all the poll taxes collected in said district shall be turned over by the tax collector to the said board of trustees, together with such proportion of the school money

as the people of said district are entitled to, to be used by said trustees to help to maintain a good school in said district.

Sec. 6. That said board of trustees shall have the power to charge reasonable tuition for such scholars in said district as may be able to pay the same, and shall permit such scholars to attend said school free of charge as in their judgment they may deem unable to pay such reasonable tuition

Approved February 16th, 1897.

No. 520.)

AN ACT

(H. 511.)

To amend an act entitled "an act to create and establish an industrial school for white girls in the State of Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That section two of an act to create and establish an industrial school for white girls in the State of Alabama, approved February, 1893, be amended so as to read as follows: Section 2. Be it further enacted, That the Governor of the State shall nominate and appoint, by and with the advice and consent of the Senate, one person from each of the congressional districts of the State, and two from the State at large, who, together with the Governor and State superintendent of education, shall be trustees, and to serve as such for six years except the Governor, and superintendent of education, who shall serve for the terms of their election by the people of Alabama. Immediately after they shall be assembled, in consequence of their first appointment, they shall be divided equally into three classes. The term of the first class shall expire two years from the date of their appointment, the second class four years from the date of their appointment; and

the third class six years from the date of their appointment, so that one-third shall be chosen every two years: If vacancy happen by resignation or otherwise, the Governor may make temporary appointments until the next meeting of the General Assembly. The Governor shall be ex-officio member of the board of trustees, and shall act as president in all their meetings, when present, but in his absence they may choose a president pro-tem. Five of the board of trustees shall be a quorum for the transaction of business.

Sec. 2. Be it further enacted, That section five of said act be amended so as to read as follows: Section 5. Be it further enacted, That the Governor shall, as ex-officio president, convene the board of trustees of said industrial school to consider any business connected with the same, whenever he shall deem it expedient to do so; that the trustees shall elect a secretary of said board, whose duty it shall be to record in a well bound book all the proceedings had by said board, and shall be allowed such compensation for his or her services as the board may deem proper, not to exceed one hundred dollars per annum. The board of trustees may also elect a treasurer for said industrial school, who shall hold and disburse all the funds belonging to said school on the order of the board of trustees, and shall receive such compensation as the board shall deem proper, not to exceed one hundred dollars per annum.

Sec. 3. Before entering upon the duties of his office, said treasurer shall give bond in such sum as the board of trustees may prescribe, conditioned to faithfully discharge his duties as such treasurer, which bond shall be approved by the Governor, and filed in the office of the secretary of State. The treasurer shall take vouchers for all moneys disbursed by him under the order of the board of trustees, which shall be filed

with, and recorded by the secretary of the board, and shall make reports to the board, when they may deem advisable.

Sec. 4. Be it further enacted, That section twelve of said act be amended so as to read as follows: Section 12. The sum of five thousand dollars for the year eighteen hundred and ninety-five, and ten thousand dollars for the year eighteen hundred and ninety-six, be, and the same is, hereby appropriated, or so much thereof as may be necessary out of any funds in the State treasury not otherwise appropriated for the establishment and maintenance of said school. Such funds and any other funds appropriated for such purpose from time to time, may be drawn from the State treasury by the board of trustees on vouchers audited by the board and approved by the Governor, and filed in the auditor's office. Such vouchers shall contain a clear and full statement of the purpose for which they are given. Upon the filing of such vouchers the auditor shall draw his warrant on the State treasurer for the same. When a treasurer for said industrial school shall have been appointed and qualified by the execution of a bond as hereinbefore provided, the board of trustees may by order entered upon the minutes direct any part of the funds so appropriated by the State to be paid over to the treasurer to be disbursed by him on the order of the board of trustees. A copy of such order, certified by the governor, and countersigned by the secretary of the board, shall constitute a voucher upon which the auditor shall draw his warrant on the treasurer of the State in favor of the treasurer of the industrial school for the amount thereof.

Sec. 5. Be it further enacted, That the board of trustees shall make, or cause to be made, to the General Assembly, at each session thereof, a full report of their transactions, and of the condition of the school, including an itemized account of

all receipts and disbursements on account of the school by those charged with its financial affairs.

Approved February 18th, 1897.

No. 530)

AN ACT

(S. 466

To establish a separate school district to be known as the Roanoke Normal College District in Randolph county.

Section 1. Be it enacted by the General Assembly of Alabama, That the following described territory situated in the county of Randolph shall constitute a separate school district to be known as the Roanoke Normal College District, to-wit: All of sections 25, 26, 27, 34, 35 and 36 in township 21, range 12 and all of sections 1, 2, and 3 in township 22, range 12.

Sec. 2. Be it further enacted, That said district shall receive all public revenues and shall be managed and controlled by the board of trustees of Roanoke Normal College who shall constitute a separate board of trustees for said school district and shall have all the authority and exercise all the power of township trustees as is now or may hereafter be provided by law.

Approved February 18, 1897.

No. 535)

AN ACT

(H. 1144

To exclude and take from the George N. Gilmer School District of Lowndes county, sections 15, 16, 17 and 18 of township 12, range 13.

Section 1. Be it enacted by the General Assembly of Alabama, That sections 15, 16, 17 and 18 of township 12, range

13 in Lowndes county be and the same are hereby excluded and taken out of George N. Gümer school district of Lowndes county.

Approved February 18, 1897.

No. 541)

AN ACT

(H. 390)

To establish Ashford School District.

Section 1. Be it enacted by the General Assembly of Alabama, That from and after the passage of this act, there shall be established in Henry county, the Ashford School District, to be composed of sections 19, 20, 21, 22, 26, 27, 28, 29, 30, 31, 32, 33, 34 and 35, in township 3, range 28, and sections 2, 3, 4, 5, 8, 9, 10, and 11, in township 2, range 28.

Sec. 2. Be it further enacted, That there shall be five trustees in and for said school district, who shall be resident citizens and freeholders in said district, and who shall hold their term of office from the first day of July, 1897, for two years, and said trustees shall have all the authority, and exercise all the powers of township trustees as is now or may hereafter be provided by law. That J. W. McIntyre, R. R. Adams, Wm. Crawford, J. F. Singletary and C. C. Radney, shall be, and are hereby empowered to act as trustees for the first term of two years: after which time the mayor and council of the town of Ashford shall elect the trustees provided for in this act, and fill all vacancies in said board of trustees caused by death, resignation or removal.

Sec. 3. Be it further enacted, That it shall be the duty of said trustees to establish only one school for the white race in said district, and the said school shall be located within the

corporate limits of the town of Ashford; and to elect, and make contracts with teachers for same in the manner prescribed by the general school laws for the trustees of townships; Provided, that the said board of trustees may elect one of their number chairman of the board. And such chairman may contract with teachers elected by the board and approve reports as in the manner provided by the general school law for the trustees of townships.

Sec. 4. Be it further enacted, That said trustees are empowered to establish one or more schools for the black race in said district, and shall elect teachers and contract with the same for said school in the manner prescribed by the general school law for the trustees of townships.

Sec. 5. Be it further enacted, That said school district shall be entitled to receive its proportionate share of all funds raised or appropriated by the State or county for public schools, and its proportionate share of the sixteenth section funds accruing to townships 2 and 3, range 28, of which said district is a part, and it shall receive all the poll tax which may be collected from the residents of said school district, and all funds which may be donated thereto.

Approved February 18, 1897.

No. 545)

AN ACT

(H. 428

To constitute the town of Jacksonville, Alabama, a separate school district.

Section 1. The corporate limits of the town of Jacksonville, Alabama, as they now are, or may hereafter exist, shall constitute a public school district, separate and apart from the remaining school districts of Calhoun county, and shall be known as the Jacksonville public school district.

Sec. 2. The board of directors of the State Normal School Jacksonville, Alabama, and their successors in office, shall constitute a board of trustees for said school district. The said board of trustees shall establish and locate the number of schools to be taught each year within the said school district, whether white or colored, shall fix the length of term of each school, the salaries to be paid the teachers of the same, and shall perform all other duties necessary to the proper regulation and maintenance of such schools.

Sec. 3. The president of the State Normal School, Jacksonville, Alabama, shall be the superintendent of the public schools, both white and colored of said district. He shall appoint the teachers in said schools with the approval of the board of trustees. He shall organize and grade the schools, designate the plan of education to be pursued and determine the text books to be used in said public schools.

Sec. 4. The public schools for the white children shall constitute a model training school for the State Normal School, Jacksonville, Alabama, and shall be established a part of the said State Normal School.

Sec. 5. The Jacksonville public school district shall receive its proportionate share of the public school revenue including its pro rata share of the sixteenth section fund, and shall also receive all the tax levied as poll taxes within the limits of said school district for the use and maintenance of the public schools therein, all moneys devoted to school purposes, whether derived from State, county or town of Jacksonville, or obtained by gift or bequest, or any other manner whatsoever, shall be paid over into the hands of the treasurer of the State Normal School, Jacksonville, Alabama.

Sec. 6. To enable the said board of trustees to maintain an efficient system of public schools free as nearly as prac-

licable to all the school children in the town, there is hereby laid and levied upon all the taxable property within the corporate limits of the said town, or that may be lawfully taxable therein, an annual tax of one-fifth of one per cent. or twenty cents on the one hundred dollars worth of such property, which shall be assessed by the tax assessor of Calhoun county at the same time, in the same manner, under the same penalties and entered on the same lists with the other State taxes, and the same shall be collected by the tax collector of Calhoun county at the same time with and as a part of said taxes, and when collected, shall be paid over each week to the treasurer of the said board.

Sec. 7. All moneys collected under this act from the white race shall go to the support of the white schools, and all moneys collected from the colored race shall go to the support of the colored school that shall be established within said school district, and to carry out the provisions of this section, it shall be the duty of the tax assessor, in making assessments under the provisions of this act, to note on the assessment book the race to which all property assessed belongs, and the duty of the tax collector to report how much of said tax has been collected from each race.

Sec. 8. All the provisions of this bill shall become operative upon the passage of this act, and the special tax shall be levied and collected with the taxes and as a part of the State tax for the year 1897.

Approved February 18, 1897..

To establish a separate school district to be known as the Health District in Coffee county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district to be known as the Health school district in Coffee county, Alabama, be and the same is hereby established to consist of the following territory, to-wit: Beginning at the northwest corner of sections 28, township 4, range 22, running northwest to Clark Spring branch, thence down said branch to Blanket creek, thence down said creek to Double Bridge creek, thence down said creek to long branch, thence up said branch to its head, thence east to middle line of section 6, T. 3, R. 22, thence east on said line to center of section 5, T. 3, R. 22, thence south on line dividing southwest quarter and southeast quarter to section line between sections 5 and 8, thence east to line dividing the west half of section 4, thence north on said line to township line, thence west to Wilkerson creek, thence up said creek to head, thence north to starting point.

Sec. 2. Be it further enacted, That the county superintendent of education of Coffee county shall appoint three trustees residents of said school district to hold office until their successors shall be duly elected and qualified.

Sec. 3. Be it further enacted, That all laws and parts of laws in conflict with this act be and the same are hereby repealed.

Approved February 18, 1897.

No. 567)

AN ACT

(S. 306)

To establish a separate school district to be known as the
Whatley School District of Clarke county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That a public school district be organized to include the following territory: Sections thirteen, twenty-four, twenty-five and thirty-six in township eight, range three east and that part of township eight, range four east lying west of Bassett's creek to be known as the Whatley School District of Clarke county, Alabama.

Sec. 2. Be it further enacted, That said school district shall be entitled to its pro rata share of the sixteenth section fund of said townships, and shall in all respects be governed by the school law of this State pertaining to the townships.

Approved February 18, 1897.

No. 568)

AN ACT

(S. 363)

To create a separate school district in the county of Chambers and Tallapoosa to be known as Mountain Springs school district, and to define the boundaries thereof.

Section 1. Be it enacted by the General Assembly of Alabama, That there is hereby created in counties of Chambers and Tallapoosa a separate school district to be known as Mountain Springs school district, be made of the following described territory in township twenty-four (24), range twenty-four (24) Tallapoosa county, and townships twenty-four (24), range twenty-five (25), Chambers county, to-wit: That portion lying between the Tallapoosa river on the east and the Davis-

ton school district on the west, and between two lines running east and west respectively two north and two miles south of our school building.

Sec. 2. Be it further enacted, That said district have four trustees who shall be citizens of said district, elected by the competent voters of said district on the first Monday in June, 1897, who shall hold office for the term of two years and until their successors are elected and qualified.

Sec. 3. Be it further enacted, That it shall be the duty of said trustees to establish one, and only one, school for the white race to be taught in said district to elect teachers and officers for the same and to perform all other duties necessary to the proper organization, regulation and maintenance of said school, making contracts with teachers and approving reports in the manner provided by the general school laws for trustees of townships; Provided, that said trustees elect of their number in each county who shall contract with teachers and approve reports in the manner provided by the general school laws for trustees of townships.

Sec. 4. Be it further enacted, That said school district be entitled to its proportionate share of all funds raised or appropriated by the State or county for public schools, also its proportional share of the sixteenth section funds accruing to townships of which said school district is a part, and that it receive all poll tax which may be collected from the white residents of said district, and all funds which may be donated thereto.

Sec. 5. Be it further enacted, That the Mountain Springs Academy be the only school in said district for the white race.

Sec. 6. Be it further enacted, That this go into effect the 1st day of October, 1897.

Approved February 18, 1897.

No. 573)

AN ACT

(S. 405

To establish a separate school district in Geneva county, Alabama, to be known as the Dundee School District.

Section 1. Be it enacted by the General Assembly of Alabama, That the following described territory situated in the county of Geneva shall constitute a separate school district, to be known as the Dundee school district, to-wit: The west half Sec. 16 and sections 17, 18, 19, 20, 21, 28, 29, 30, 31, 32, 33, in township two, range 24, also sections 5 and 6, township one, range 24, also three-fourths off the east side of sections 13, 24, 25, township 2, range 23.

Sec. 2. Be it further enacted, That the superintendent of education shall apportion to the said Dundee school district a pro rata of the school funds of the State in the same manner as these funds are apportioned to the other townships and school districts.

Approved February 18, 1897.

No. 585.)

AN ACT

(S. 455.

To constitute the town of Albertville a separate school district, and to provide for the management of the public school of said district.

Section 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the city of Albertville, Marshall county, and the inhabitants thereof are hereby incorporated by the name of the Albertville School District of the city of Albertville.

Sec. 2. Be it further enacted, That said school district

shall receive each year its proportionate share of the school funds coming to Marshall county, from whatever source derived, and its proportionate share of the sixteenth section fund, and also all the taxes collected as poll taxes in said district, which fund and taxes and all other funds for the use of said school district, are to be controlled, managed and expended as hereinafter provided.

Sec. 3. Be it further enacted, That a board of education of said school district is hereby appointed to consist of the mayor of said town, who shall be ex-officio president thereof, and four other persons, to be appointed by the State superintendent of education of Alabama, two of whom shall hold said office for only one year from date of appointment, and two to hold said office two years from date of appointment, and all four of whom shall be appointed within twenty days after the passage of this act; but no one shall be eligible to said office who has not been a bona fide resident of said town for one year next preceding his appointment, nor shall the term of office of more than two members of said board expire at the same time, but after the first appointment the regular term of office of said board shall be two years.

Sec. 4. Be it further enacted, That the said board of education shall have the management and control of the public schools of said district and of all moneys and property collected, donated or acquired for said school district and of the expenditure and investment of said moneys as herein provided by this act and said board shall also have power to create and appoint a board for the examination of applicants for positions as teachers in the public schools of said district, and no person shall be elected by said board of education as teacher in the public schools of said district who shall not have received a license from said board of examination. Said board of ex-

examination shall consist of such number of persons as may be deemed expedient by the board of education and they shall serve as such at the pleasure of said board of education; Provided, that said board of education may at its election examine applicants for positions as teachers in said public schools and issue licenses to said teachers upon such examination.

Sec. 5. Be it further enacted, That said board of education shall elect from their body a secretary and treasurer thereof, and the treasurer before entering upon his duties shall make bond in such sum as the board may direct, with sufficient surety to be approved by the president of said board, payable to said school district with condition faithfully to discharge the duties of his office during his continuance therein, which bond shall be entered upon the minutes of said board, and also transcribed upon the record of the town of Albertville and the original then kept by the said board in some safe place, and a certified transcript of the record of said board from the minutes of said board or from the record of said town of Albertville shall be presumptive evidence of the execution of said bond in all the courts of this State in the event said bond should be lost.

Sec. 6. Be it further enacted, That a majority of said board of education shall constitute a quorum for the transaction of business and a record shall be kept of all their official meetings and if at any meeting the president of the board should be absent the members present may elect a president pro tempore.

Sec. 7. Be it further enacted, That the treasurer of said board of education shall receive all moneys belonging to said school district and pay the same out only upon the warrant of the mayor of the town, and said mayor shall not draw a warrant for any of said moneys except upon the order of the

board of education; and whenever called upon by said board the treasurer shall make a report in writing of money received and paid out by him for and on account of said school district.

Sec. 8. Be it further enacted, That said board of education shall make a written report to the State superintendent of education on the last Monday in September in each year, of the condition of the schools in said district, the length of time they were open, the past scholastic year, the number of pupils in attendance, the number of teachers, the value of school property, the amount paid for school houses, or for repairing the same, the amount paid teachers and the amount received from all sources the past scholastic year for the use of said school district, and of any other matter required by law, and a duplicate of said report shall be filed with the mayor and aldermen of the town of Albertville, who shall at the expense of the town cause the same to be published in some newspaper in said town or to be posted in three public places in said town.

Sec. 9. Be it further enacted, That the mayor of said town of Albertville and the treasurer of said board of education shall at such times as may be fixed by the board, make report in writing to the board of education of the expenditure of the moneys of the said district, which report shall be submitted to the board for examination and shall be spread upon the minutes of the board.

Sec. 10. Be it further enacted, That the tax collector of the county of Marshall is hereby required to pay over to the treasurer of said board of education all poll taxes collected within said school district, and the receipt of said treasurer shall be a valid voucher in the hands of said tax collector in his settlement with the auditor of the State, and the superintendent of education of the State of Alabama is required to

pay over to the treasurer of said board the pro rata share of said school district in the school fund of said county, and the marshal, or person authorized to collect and receive taxes for the town of Albertville is required to pay over to said treasurer all such moneys as were collected by said marshal or other person, for the use and benefit of said school district.

Sec. 11. Be it further enacted, That within twenty days after the appointment of said board of education, the secretary thereof shall take the census of the children within the lawful school age residing within the town of Albertville and shall certify the number thereof to the State superintendent under oath, which said census shall be used in determining the amount of school funds due said school district until the regular time of taking the school census in Alabama, when said board of education shall take the census as prescribed by law.

Sec. 12. Be it further enacted, That said school district by its corporate name shall have the power to sue and be sued, contract and be contracted with, shall have a common seal to be kept by the secretary of said board of education, shall have the right to buy, sell, lease, receive by gift or devise, real and personal property for the use and benefit of the public schools of said town, shall contract for the erection of school houses in said district which shall be located in such place or places as will best serve the convenience of the children in said district, and change the location of said school houses whenever necessary and the board of education herein provided for shall be the proper constituted authority for the purpose of executing and carrying out the powers and executing the rights and privileges herein conferred upon said school district.

Sec. 13. Be it further enacted, That all children residing in said district between the ages of seven and twenty-one shall have the right to enter any of the public schools of said town free of charge; Provide^d, always, that separate schools shall

be established for the white and black races, and there shall not in any event be a mixture of the races in any of the public schools; and provided, further, that the board of education in its discretion may assess an incidental fee of twenty-five cents per month for each pupil, which shall be paid before entering the schools of said district and the regulation as to payment of incidental fees shall be made by said board of education; and provided further, that non-resident children may be received as pupils in the schools of this district upon such terms as may be prescribed by the board of education.

Sec. 14. Be it further enacted, That the members of the board of education, before they enter upon their duties, shall each take and subscribe an oath to discharge their duties to the best of their ability, which oath shall be entered upon the minutes of said board.

Sec. 15. Be it further enacted, That the bond of the treasurer of said board may be increased or strengthened, or said treasurer be required to make a new bond whenever in the judgment of said board it is necessary, and the treasurer when required to make a new bond or to give additional security upon his bond shall do so within ten days after notice of such requirement, and failing so to do, his office as treasurer and as a member of said board thereby becomes vacant.

Sec. 16. Be it further enacted, That any member of said board removing from said district thereby vacates his office and all vacancies in said board from any cause shall be filled by appointment by the State superintendent of education.

Sec. 17. Be it further enacted, That all laws inconsistent with the provisions of this act be and the same are hereby repealed.

Approved February 18th, 1897.

No. 609.]

AN ACT

[H. 1107.]

To establish a separate school district, known as Prospect School District.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district, to be known as the "Prospect School District," be and the same is hereby established and included within the following boundary lines, to-wit: Bounded on the north by the Texasville District, on the east by township 7, to the Union Hill District line, south by Union Hill district line to Barbour county line, thence west in Barbour county to east prong of Bear creek, then bounded by said creek to the bank of the Texasville district line.

Sec. 2. The said district shall be under the control of the county superintendent of Henry county, Alabama, and entitled to all public funds belonging to the same.

Approved February 18, 1897.

No. 615.]

AN ACT

[S. 382.]

To create a separate school district in Cleburne county, to be known as "Oak Level School District."

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district is hereby created, to be known as "Oak Level School District," in Cleburne county, said district to cover an area consisting of sections 20, 21, 22, 23, 26, 27, 28, 29, 32, 33, 34 and 35, in township 13 south, range 11 east, also sections 2, 3, 4 and 5 in township 14 south, range 11 east, in Cleburne county.

Sec. 2. Be it further enacted, That the said "Oak Level School District" shall be governed in all respects by the

school laws of the State which are applicable to townships, and that S. C. Gray, the present township trustee of township 13, range 11, shall be the trustee of said "Oak Level School District" until his successor is appointed and qualified, and that the county superintendent of education of Ogleburne county, shall, immediately after the passage of this act, appoint a township trustee for that part of township 13, range 11, not included in the "Oak Level School District."

Sec. 3. Be it further enacted, That not more than one public school shall be located within said district, except upon a two-thirds vote of the school patrons within the district.

Approved February 18th, 1897.

No. 628.]

AN ACT

[H. 533.

To establish a separate school district to be known as the Pinson School District in Jefferson county.

SECTION 1. Be it enacted by the General Assembly of Alabama, That Pinson community in Jefferson county be constituted a separate school district to be known as the Pinson School District, and included within the following boundary lines, to-wit: Beginning near W. J. Hawkin's place at the top of a hill at the thirteen-mile post on the East Lake and Birmingham road, thence running S. W. to H. H. Cousin's on Birmingham road, thence S. W. to the widow Rutha A. Pitts' farm, thence west to the top of Red Mountain, thence along top of said mountain to A. B. Thomas' farm, thence north including J. H. Murphy's farm to C. B. Deans' place, thence eastwardly to J. M. Hudson's, thence S. E. to the Branchville road, where it

leaves the Tennessee road, thence along said Branchville road to the Springville road, thence southwardly to W. K. Keith's, thence westwardly to the top of the hill at 13 mile post, the place of beginning.

Sec. 2. That said Pinson School District shall be under the supervision of a board of three trustees, to be appointed within said district by the county superintendent of education with power to establish and have taught one school for white children of said district in Silver Lake Institute, the public schoolhouse of the community, each and every scholastic year and to have one school for the colored children in the district, or transfer them to a public school in another district, and to perform all the duties required by law of trustees of townships in the general school law of the State.

Approved February 18th, 1897.

No. 630.]

AN ACT

[H. 1069.

To establish a separate school district to be known as the Brown's Creek School District, in Etowah county, Alabama.

Section 1. Be it enacted by the General Assembly of Alabama, That a separate school district in Etowah county be and the same is hereby established to be described as follows, to-wit: Beginning at a point where Big Mills Creek passes through Red Mountain, thence along the top of said mountain to Rock Hollow, a point where the Gadsden and Ashville road passes through said Red Mountain, thence due north to the top of said mountain, thence along the brow of said mountain to a point where the Nashville, Chattanooga and St. Louis R. R. enters said mountain,

thence along said N., C. & St. L. R. R. to the point of beginning.

Sec. 2. Be it further enacted, That the educational affairs of said school district shall be under similar control as that of the township districts of the State and shall be managed by three trustees who shall be elected by the qualified electors of said school district in the same manner and under the same provision as is by law established for Etowah county, Alabama.

Sec. 3. Be it further enacted, That the county superintendent of education of Etowah county shall appoint three trustees, residents of said school district, to hold office until their successors are duly elected and qualified.

Sec. 4. Be it further enacted, That the said school district shall be entitled to its proportionate share of the public school fund of the State and of the sixteenth section fund and shall receive all poll tax from residents of said school district.

Approved February 18th, 1897.

No. 660.]

AN ACT

[H. 824.]

To constitute the city of Luverne, in Crenshaw county, a separate free school district for children, and to provide for the management of said free school in said school district.

Section 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the city of Luverne shall constitute a free school district in the county of Crenshaw, and the inhabitants of Luverne are hereby incorporated by the name of the free school district of the city of Luverne.

Sec. 2. Be it further enacted, That the city of Luverne as such separate free school district, shall receive the proportionate share of the public school funds coming to the county. And shall receive all taxes collected as poll tax from white tax payers in said free school district ; and shall be drawn and disbursed by such officer or officers as may be appointed or elected for that purpose by the board of education of said free school district of the city of Luverne, in the same manner as county superintendents draw and disburse the school funds of their respective counties; and the amounts thus drawn or collected shall be used exclusively for the support and maintenance of said free schools in the city of Luverne, and the city of Luverne is authorized to increase its school fund by receiving donations ; but for the disbursement of donated funds no charge whatever shall be made. And the mayor and councilmen of Luverne are hereby authorized to increase the school funds by levying a tax, not to exceed one-half of one per centum, provided, that the tax herein specified, with other taxes, shall not exceed the constitutional limits ; provided further, that the taxes paid by the different races go to their respective schools on the value of the taxable property of the citizens of Luverne, when in their opinion they deem best, which shall be collected as other taxes of the city ; and by appropriating any surplus fund arising in the treasury of said city to said school fund.

Sec. 3. Be it further enacted, That the white public schools of the school district of Luverne shall be under the charge of a board of education, to consist of the mayor of Luverne, who shall be ex-officio president of said board, and four other persons, residents of said district, to be elected by the mayor and councilmen of Luverne. The first two elected shall hold their said office for the term of two years and until their successors are elected and qualified, and at each

thence along said N., C. & St. L. R. R. to the point of beginning.

Sec. 2. Be it further enacted, That the educational affairs of said school district shall be under similar control as that of the township districts of the State and shall be managed by three trustees who shall be elected by the qualified electors of said school district in the same manner and under the same provision as is by law established for Etowah county, Alabama.

Sec. 3. Be it further enacted, That the county superintendent of education of Etowah county shall appoint three trustees, residents of said school district, to hold office until their successors are duly elected and qualified.

Sec. 4. Be it further enacted, That the said school district shall be entitled to its proportionate share of the public school fund of the State and of the sixteenth section fund and shall receive all poll tax from residents of said school district.

Approved February 18th, 1897.

No. 660.]

AN ACT

[H. 824.

To constitute the city of Luverne, in Crenshaw county, a separate free school district for children, and to provide for the management of said free school in said school district.

Section 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the city of Luverne shall constitute a free school district in the county of Crenshaw, and the inhabitants of Luverne are hereby incorporated by the name of the free school district of the city of Luverne.

be filed in the office of the superintendent of education; and said board shall elect all teachers and pupils among the several schools, dictate the course of instruction, the number and character of text books, the organization of classes, and the method of teaching; and shall prescribe rules and regulations for the government of the schools aforesaid. Such boards shall have and exercise such other and additional powers as may be necessary to give in complete control of the public schools of said school district. Any of such officers or teachers may be removed for cause, to be determined by said board.

SEC. 7. Be it further enacted, That the white children and wards of actual white residents within the limits of the school district of the city of Laverne, from seven to twenty-one years of age, shall be entitled to seats as pupils in the public schools of said city; Provided, said children shall themselves be bona fide residents of Laverne, and that non-resident children may be admitted into such schools on such terms and conditions as the board of education may prescribe.

SEC. 8. Be it further enacted, That said board of education may issue diplomas to all persons who satisfactorily complete the course of study prescribed for the public schools of said district.

SEC. 9. Be it further enacted, That the board of education shall have power to charge in the several grades in said schools such incidental or other fees as they may deem necessary for the proper conduct of said schools.

SEC. 10. Be it further enacted, That all funds devoted to public school purposes in the school district of the city of Laverne, whether derived from State, county or city, shall be paid into the treasury of said city, where they shall be kept separate and distinct from all other funds belonging to

thence along said N., C. & St. L. R. R. to the point of beginning.

Sec. 2. Be it further enacted, That the educational affairs of said school district shall be under similar control as that of the township districts of the State and shall be managed by three trustees who shall be elected by the qualified electors of said school district in the same manner and under the same provision as is by law established for Etowah county, Alabama.

Sec. 3. Be it further enacted, That the county superintendent of education of Etowah county shall appoint three trustees, residents of said school district, to hold office until their successors are duly elected and qualified.

Sec. 4. Be it further enacted, That the said school district shall be entitled to its proportionate share of the public school fund of the State and of the sixteenth section fund and shall receive all poll tax from residents of said school district.

Approved February 18th, 1897.

No. 660.]

AN ACT

[H. 824.]

To constitute the city of Luverne, in Crenshaw county, a separate free school district for children, and to provide for the management of said free school in said school district.

Section 1. Be it enacted by the General Assembly of Alabama, That the corporate limits of the city of Luverne shall constitute a free school district in the county of Crenshaw, and the inhabitants of Luverne are hereby incorporated by the name of the free school district of the city of Luverne.

be filed in the office of the superintendent of education; and said board shall elect all teachers and pupils among the several schools, dictate the course of instruction, the number and character of text books, the organization of classes, and the method of teaching; and shall prescribe rules and regulations for the government of the schools aforesaid. Such boards shall have and exercise such other and additional powers as may be necessary to give in complete control of the public schools of said school district. Any of such officers or teachers may be removed for cause, to be determined by said board.

SEC. 7. Be it further enacted, That the white children and wards of actual white residents within the limits of the school district of the city of Luverne, from seven to twenty-one years of age, shall be entitled to seats as pupils in the public schools of said city; Provided, said children shall themselves be bona fide residents of Luverne, and that non-resident children may be admitted into such schools on such terms and conditions as the board of education may prescribe.

SEC. 8. Be it further enacted, That said board of education may issue diplomas to all persons who satisfactorily complete the course of study prescribed for the public schools of said district.

SEC. 9. Be it further enacted, That the board of education shall have power to charge in the several grades in said schools such incidental or other fees as they may deem necessary for the proper conduct of said schools.

SEC. 10. Be it further enacted, That all funds devoted to public school purposes in the school district of the city of Luverne, whether derived from State, county or city, shall be paid into the treasury of said city, where they shall be kept separate and distinct from all other funds belonging to

said city, and shall be disbursed in such manner as the board of education may direct.

SEC. 11. Be it further enacted, That it shall be the duty of the board of education, herein provided for, to take, or cause to be taken, the enumeration of the white children within the educational age in the corporate limits of said city, and report the same to the county superintendent of education of Crenshaw county, and to the superintendent of education for the State, at times and under the rules now provided by law for the government of township trustees. And the State superintendent shall apportion, and the county superintendent shall pay to the proper officers the proportionate part of the public school fund to which said city shall be entitled as herein provided for.

SEC. 12. Be it further enacted, That the board of education may, in its discretion, institute annual competitive examinations before such persons as the board may select, for all applicants for license to teach in the public schools in said school district, including licensed teachers in said schools who are applicants for re-election as teachers.

SEC. 13. Be it further enacted, That all laws and parts of laws in conflict with the provisions of this act, be and the same are hereby repealed.

Approved February 18th, 1897.

No. 662.]

AN ACT

[H. 1153.

To establish a separate school district in Chambers county, in this State.

SECTION 1. Be it enacted by the General Assembly of Alabama, That a separate school district to be known as the Fredonia School District be established, subject to the public school laws of the State of Alabama, to be composed of

the following territory, viz: Two and a half miles in each and every direction from the Masonic Hall at Fredonia in the county of Chambers. That the said separate school district shall receive a proportionate share of the public school funds of said township, including a pro rata share of the sixteenth section fund; and it shall also receive all the tax collected from the white people as poll tax within the limits of the territory set forth; and the county superintendent of education shall set apart from the county school fund and disburse and use pro rata share exclusively for the maintenance of the public school fund of said separate school district.

Approved February 18th, 1897.

No. 658.] JOINT RESOLUTION.

To appoint a Commission to ascertain and report to the next General Assembly whether the State of Alabama is justly and equitably indebted to the University in an amount exceeding that now recognized by the State as an endowment fund.

WHEREAS, it is claimed by the Society of Alumni of the State University that the State of Alabama, as trustee, is largely indebted to the University, over and above the amount now recognized by the State, on a just and equitable accounting by the State as such trustee. Therefore,

Be it resolved by the House of Representatives of the General Assembly of Alabama, (the Senate concurring), First, That three Commissioners be selected to investigate and report to the next General Assembly of Alabama what amount, if anything, is due from the State University upon a just and equitable statement of the account between the University

and the State, as trustee of any property or funds to which the University was entitled or constituting any part of its endowment.

Resolved, Second, That one of said Commissioners shall be appointed by the Governor, and shall be chairman of said Commission; one shall be appointed by the Society of Alumni of the University, and the two so selected shall select a third; but in the event they shall fail to agree upon a third Commissioner by the first day of July, 1897, then the Board of Trustees of the State University shall select the third Commissioner.

Resolved, Third, That said Commission shall meet at such times and places as the Chairman, or a majority of said Commissioners may designate, and shall have power to call for persons and papers, to examine witnesses, under oath, to be administered by either of said Commissioners, and also to examine documents, official and historical records, and to resort to such other sources of information as the Commission may deem proper. Said Commission may also employ a clerk, purchase stationery, and incur such other expenses as may be necessary to a thorough investigation of, and report upon, the matters herein submitted to them.

Resolved, Fourth, That the current necessary expenses of said Commission shall be paid by the Treasurer of the University, out of University funds, on the order of the Chairman of said Commission, accompanied by proper vouchers.

Resolved, Fifth, That the compensation of said Commissioners shall be fixed by the next General Assembly of Alabama, and shall be paid as follows: one-half by the State University and the other half by the State, in such manner as may be prescribed by said General Assembly.

Resolved, Sixth, That nothing in this resolution shall be construed as an admission or acknowledgment on the part of the State indebtedness on account of the matters herein

referred to, or as binding the State to pay or recognize as a debt any amount that may be reported by said Commission as due from the State to the University, if anything should be so reported, over and above the amount on which the State is now paying interest.

Approved February 18th, 1897.

and the State, as trustee of any property or funds to which the University was entitled or constituting any part of its endowment.

Resolved, Second, That one of said Commissioners shall be appointed by the Governor, and shall be chairman of said Commission; one shall be appointed by the Society of Alumni of the University, and the two so selected shall select a third; but in the event they shall fail to agree upon a third Commissioner by the first day of July, 1897, then the Board of Trustees of the State University shall select the third Commissioner.

Resolved, Third, That said Commission shall meet at such times and places as the Chairman, or a majority of said Commissioners may designate, and shall have power to call for persons and papers, to examine witnesses, under oath, to be administered by either of said Commissioners, and also to examine documents, official and historical records, and to resort to such other sources of information as the Commission may deem proper. Said Commission may also employ a clerk, purchase stationery, and incur such other expenses as may be necessary to a thorough investigation of, and report upon, the matters herein submitted to them.

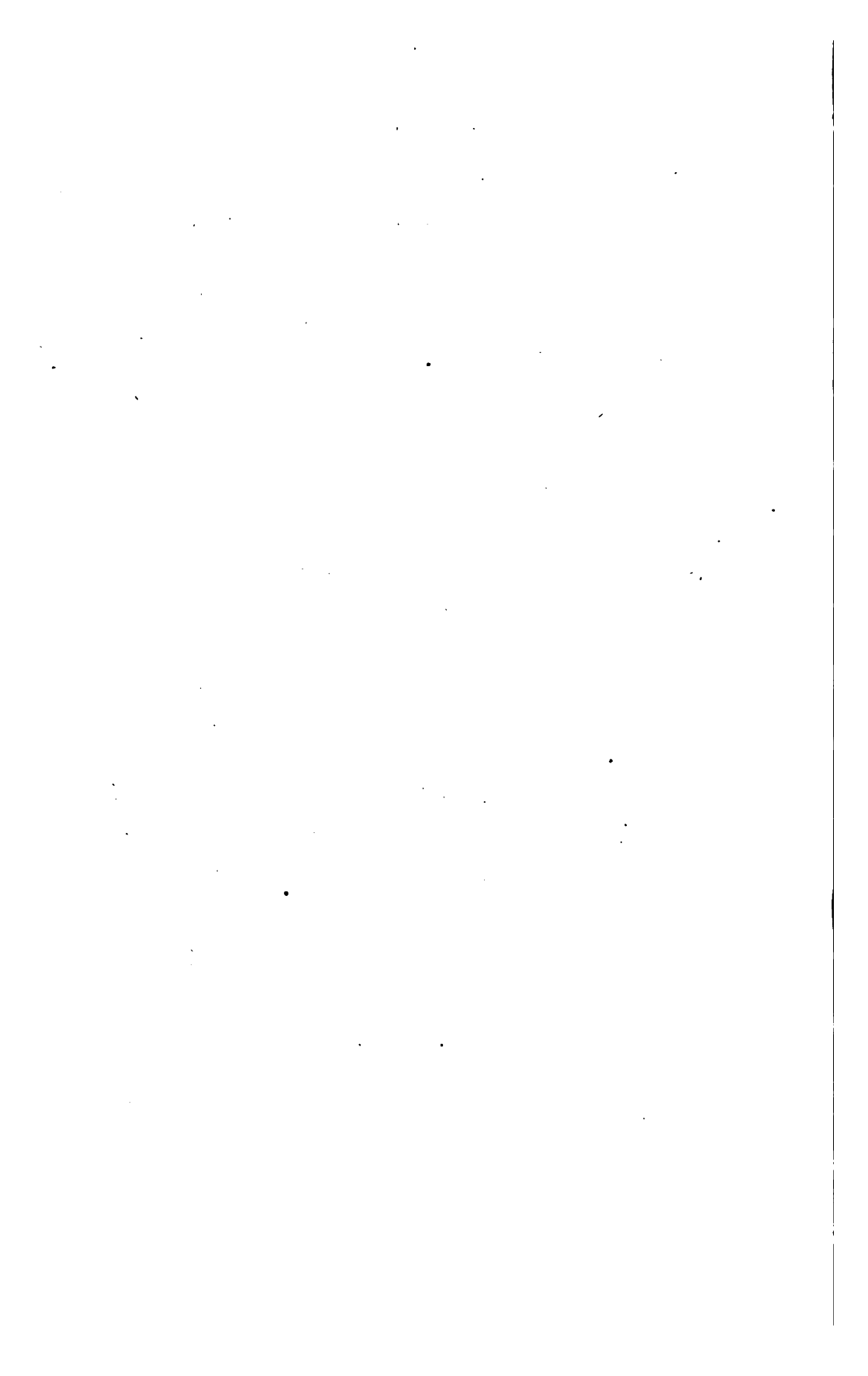
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Resolved, Sixth, That nothing in this resolution shall be construed as an admission or acknowledgment on the part of the State indebtedness on account of the matters herein

referred to, or as binding the State to pay or recognize as a debt any amount that may be reported by said Commission as due from the State to the University, if anything should be so reported, over and above the amount on which the State is now paying interest.

Approved February 18th, 1897.



LIST OF
County and City Superintendents.

1897.

ALABAMA.

List of County Superintendents of Education. Revised.

April 10th, 1897.

COUNTY.	SUPERINTENDENT.	POST OFFICE.
Autauga	Wm. W. Hinton, jr.	Billingsley.
Baldwin	D. C. Byrne	Bay Minette.
Barbour	R. Davie	Clayton.
Bibb	R. H. Pratt	Six Mile.
Blount	W. M. Self	Oneonta.
Bullock	T. A. Craven	Union Springs.
Butler	I. E. Ward	Greenville.
Calhoun	L. D. Miller	Jacksonville.
Chambers	W. C. Bledsoe	LaFayette.
Cherokee	F. R. Bankson	Hurley.
Chilton	J. W. Moore	Thorsby.
Choctaw	O. L. Gray	Butler.
Clarke	R. O. Heard	Grove Hill.
Clay	Frank J. Ingram	Elias.
Cleburne	J. A. Yother	Edwardsville.
Coffee	C. E. Roberts	Damascus.
Colbert	Alex. Jackson	Tuscumbia.
Conecuh	E. J. Hardy	Castleberry.
Coosa	W. P. Fulmer	Mt. Olive.
Covington	A. J. Fletcher	Andalusia.
Crenshaw	J. I. Brook	Rutledge.
Cullman	Jas. H. Lott	Cullman.
Dale	Thomas Gilley, jr.	Wicksburg.
Dallas	J. M. Anderson	Safford Station.
DeKalb	R. H. Shaw	Portersville.
Elmore	W. R. Osborne	Claud.
Escambia	W. S. Neal	Brewton.
Etowah	N. M. Gallant	Gallant.
Fayette	J. N. Collins	Fayette.
Franklin	L. S. McRight	Russellville.
Geneva	Ed. P. Johnson	Elton.
Greene	John G. Apsey	Eutaw.
Hale	J. A. Ellerbe	Greensboro.
Henry	J. M. Melvin	Abbeville.
Jackson	W. S. Bridges	Scottsboro.
Jefferson	I. W. McAdory	Birmingham.
Lamar	B. H. Wilkerson	Vernon.
Lauderdale	A. D. Ray	Florence.
Lawrence	O. H. Bynum	Courtland.
Lee	H. F. Lowe	Opelika.
Limestone	B. F. Gresham	Elk River Mills.
Lowndes	J. B. Holcombe	Hayneville.
Macon	A. B. Paine	Tuskegee.
Madison	M. R. Murray	Huntsville.
Marengo	W. K. Thomas	Nanafalia.
Marion	C. E. Mitchell	Hamilton.
Marshall	Jno. W. Thaxton	Albertville.

ALABAMA.

List of County Superintendents of Education. Revised.—Continued.

April 10th, 1897.

COUNTY.	SUPERINTENDENT.	POST OFFICE.
Mobile	John D. Yerby.....	Mobile.
Monroe	C. W. McClure.....	Kempsville.
Montgomery	W. C. Holt.....	Montgomery.
Morgan	Henry T. Lile.....	Trinity.
Perry	J. D. Cross.....	Marion
Pickens	C. A. Chappelle.....	Dillburgh.
Pike.....	R. E. Hightower	Troy.
Randolph	M. D. Lovvorn.....	Lamar.
Russell	L. J. Lewis.....	Seale.
Shelby	Eugene Williams.....	Vincent.
St Clair.....	N. B. Spradley.....	Cropwell.
Sumter	R. B. Calloway.....	Livingston.
Talladega	J. B. Graham.....	Talladega.
Tallapoosa	S. T. Pearson.....	Alexander City.
Tuscaloosa	John P. Bealle.....	North Port.
Walker	Thomas J. Amis.....	Jasper.
Washington.....	T. C. Bowling.....	LeRoy.
Wilcox.....	J. McJones.....	Rosebud.
Winston.....	G. W. Vanderford.....	Double Springs.

CORRECTED LIST,

April 10th, 1897,

City Superintendents and Treasurers of School Districts.

DISTRICTS.	SUPERINTENDENTS.	TREASURERS.	POST-OFFICE.
Alabama City	A. S. King	Wm. Gardner	Alabama City.
Attalla		J. H. Wood	Attalla.
Bessemer		W. G. Hurd	Bessemer.
Birmingham	J. H. Phillips		Birmingham.
Bridgeport		C. G. Jones	Bridgeport.
Calera			Calera.
Columbiana		J. R. White	Columbiana.
County Line		L. M. Kellar	Cullman.
Cullman		G. A. Prinz	Cullman.
Decatur		John D. Wyker	Decatur.
Duck Creek		J. C. Oaks	Cullman.
Eufaula	H. M. Weedon		Eufaula.
Faunsdale	W. C. Harrison		Faunsdale.
Florence	H. C. Gilbert	James Burtnell	Florence.
Gadsden	I. W. Hill		Gadsden.
Good Hope		Jno. A. Bashan	Cullman.
Greenville	J. R. Smith	C. E. Hamilton	Greenville.
Huntsville	S. J. Mayhew		Huntsville.
Jones' Chapel		F. W. Jones	Jones' Chapel.
La Fayette	J. R. Dowdell	E. M. Oliver	La Fayette.
Montgomery	C. L. Floyd		Montgomery.
Opelika	T. C. Pinckard	G. E. Driver	Opelika.
Phoenix City	J. A. Albright for white E. L. Allen for colored	L. R. Ogletree	Phoenix City.
Pratt City		Pat Selton, Jr.	Pratt City.
Prattville	McNeil Smith	J. W. Mathews	Prattville.
Selma	Louis E. Jeffries		Selma.
Sheffield		G. W. Hanlin	Sheffield.
Troy	F. J. Cowart	Josiah Jernigan	Troy.
Tuscumbia	W. F. Trump	G. Lueddeman	Tuscumbia.
Tuscaloosa	J. H. Foster	Jas. I. Harrison	Tuscaloosa.
Uniontown	A. M. Spessard	J. H. White	Uniontown.

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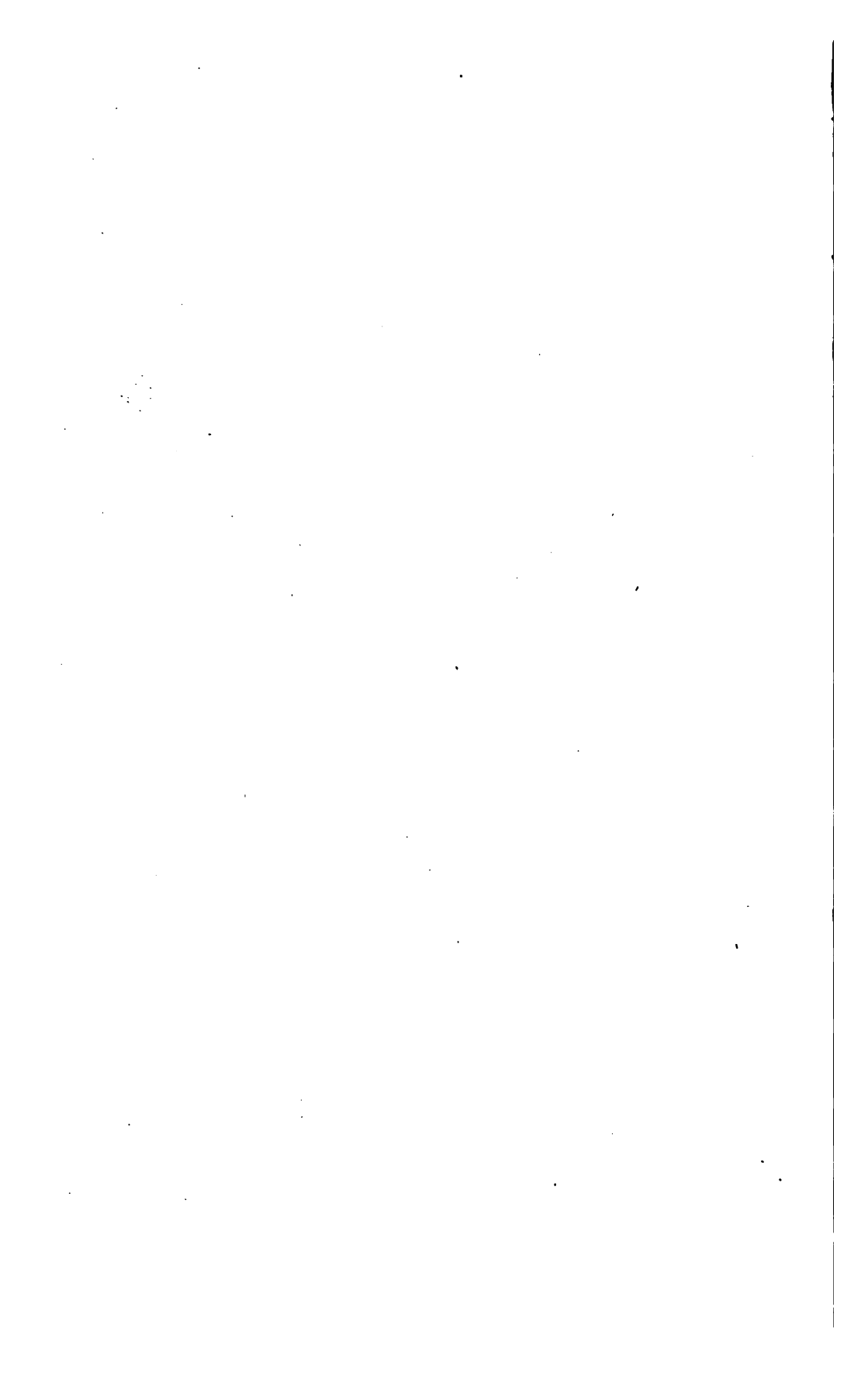
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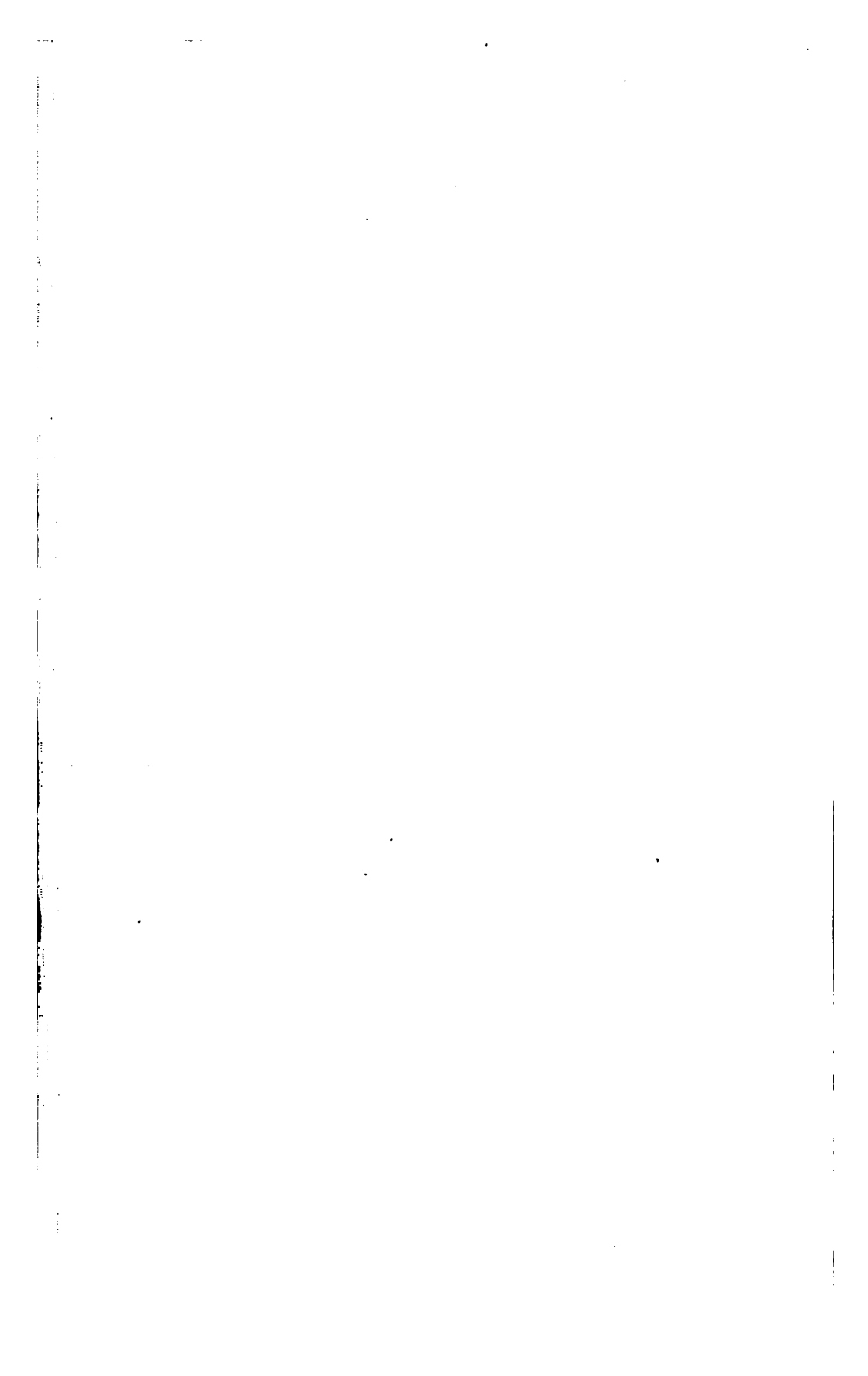






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